

in which there is not now a District Attorney; providing that the present County Attorney in those counties shall qualify as Criminal District Attorney, remaining in office for the period such officer would have held his office as County Attorney had this Act not been passed; providing that such officer shall take the oath and give the bond required of District Attorneys by the Constitution and Laws of this State; providing that such Criminal District Attorney shall have and exercise all powers, duties, and privileges within such county as are by law conferred, or which may hereafter be conferred upon District and County Attorneys, and providing the compensation for such officer; providing for the appointment of assistants, deputies, and clerks; fixing their powers, duties, and compensation; providing for the election of a Criminal District Attorney in each county; providing this Act shall be cumulative of all other laws, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

FORTY-SEVENTH DAY

(Continued)

(Tuesday, April 6, 1937)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Calvert.

LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Howard was granted leave of absence for today, on account of illness, on motion of Mr. Morse.

EXPRESSING CONDOLENCE TO THE SURVIVORS OF THE NEW LONDON, TEXAS, SCHOOL DISASTER

The Speaker laid before the House, and had read the following resolution, adopted by the Ninety-second General Assembly, Regular Session, 1937-1938, of the State of Ohio:

92nd GENERAL ASSEMBLY REGULAR SESSION 1937-1938

S. R. No. 64

Mr. Baumhart

A Resolution

Expressing condolence to the survivors of the New London, Texas, school disaster.

Whereas, The magnitude of the recent school disaster at New London, Texas, shocked the entire nation; and

Whereas, The brief and sorrow of the parents and survivors of this catastrophe is unparalleled in history; therefore, be it

Resolved, That the Senate of the Ohio General Assembly express their deep sympathy to the survivors of the New London school disaster; and, be it further

Resolved, That a copy of the resolution be forwarded by the Clerk of the Senate to the Governor of Texas, and to the Clerk of the Senate and House of the Texas Legislature.

Adopted by the Senate, March 25, 1937.

(Signed)

Dayton Matebelle, Clerk.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Mauritz:

H. B. No. 1063, A bill to be entitled "An Act declaring it unlawful to hunt, trap, shoot or kill any wild deer within the limits of Jackson and Wharton Counties, Texas, for a period of five years; providing a penalty for the violation of the provisions of this Act; repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Talbert:

H. B. No. 1070, A bill to be entitled "An Act declaring it unlawful to take, hunt, trap, shoot or kill any wild pheasant in Smith County, Texas, for a period of three years; prescribing penalty for the violation of the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Rhodes:

H. B. No. 1071. A bill to be entitled "An Act to be designated as Article 2350m, providing for traveling expenses for members of the Commissioners' Court in certain counties in this State, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Mauritz moved to introduce, at this time, and have placed on first reading, House Bill No. 1064.

The motion prevailed by the following vote:

Yeas—108

Adkins	Kelt
Alsup	Kenyon
Amos	King
Bates	Knetsch
Beckworth	Langdon
Blankenship	Lankford
Boethel	Lanning
Boyer	Leath
Bradbury	Leonard
Bradford	Leyendecker
Bridgers	Loggins
Burton	London
Cagle	Lucas
Callan	Mann
Carssow	Mauritz
Cauthorn	Mays
Cleveland	McCracken
Colquitt	McDonald
Davis of Jasper	McFarland
Deglandon	McKee
Derden	McKinney
Dickison	Metcalfe
Dollins	Moffett
England	Monkhouse
Farmer	Morse
Fielden	Nicholson
Fox	Oliver
Hamilton	Palmer
Hanna	Patterson of Mills
Harbin	Powell
Hardin	Prescott
Harrell	Ragsdale
Harris of Dallas	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Rhodes
Huddleston	Riddle
Hull	Ross
Jackson	Russell
James	Rutta
Johnson	Schuenemann
of Tarrant	Sewell
Jones of Angelina	Sharpe
Jones of Atascosa	Simpson
Jones of Falls	Skaggs
Jones of Wise	Smith
Keefe	of Matagorda
Keith	Smith of Tarrant

Stevenson
Stinson
Stocks
Talbert
Tennant
Tennyson
Thornberry
Thornton

Vale
Waggoner
Walker
Weldon
Westbrook
Winfree
Wood
Worley

Absent

Alexander	Harris of Dickens
Baker	Hartzog
Bell	Heflin
Bond	Herzik
Broadfoot	Hyder
Brown	Johnson of Ellis
Cathey	Little
Celaya	McConnell
Davis of Haskell	Morris
Davison of Fisher	Newton
Davisson	Patterson
of Eastland	of Travis
Dean	Pope
Felty	Quinn
Fuchs	Reader
Gibson	Roark
Graves	Settle
Hankamer	Shell
Harper	Smith of Hopkins
Harris of Archer	Tarwater

Absent—Excused

Howard	Petsch
Kern	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Mauritz:

H. B. No. 1064, A bill to be entitled "An Act amending Article 1164, Revised Civil Statutes of Texas, 1925, by providing that the Board of Commissioners in any city or town containing less than 2,000 population according to the last preceding Federal Census may fix the salary of the mayor not to exceed \$600.00 per annum, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

Mr. Powell moved to introduce, at this time, and have placed on first reading, House Bill No. 1065.

The motion prevailed by the following vote:

Yeas—114

Adkins	Amos
Alsup	Bates

Beckworth	Leonard
Blankenship	Leyendecker
Boethel	Loggins
Bond	London
Boyer	Lucas
Bradbury	Mann
Bradford	Mauritz
Bridgers	Mays
Broadfoot	McCracken
Burton	McDonald
Cagle	McFarland
Callan	McKee
Carssow	McKinney
Cathey	Metcalfe
Cauthorn	Moffett
Celaya	Monkhouse
Cleveland	Morse
Colquitt	Nicholson
Davis of Haskell	Oliver
Davis of Jasper	Patterson of Mills
Deglandon	Powell
Dickison	Prescott
Dollins	Quinn
England	Ragsdale
Farmer	Reader
Fielden	Reed of Bowie
Fox	Reed of Dallas
Graves	Rhodes
Hamilton	Ross
Hankamer	Russell
Hanna	Rutta
Harbin	Schuenemann
Harrell	Sewell
Harris of Dallas	Sharpe
Herzik	Shell
Holland	Simpson
Hoskins	Skaggs
Hull	Smith of Hopkins
Jackson	Smith
James	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stevenson
Jones of Angelina	Stocks
Jones of Atascosa	Talbert
Jones of Falls	Tennant
Jones of Wise	Tennyson
Keefe	Thornberry
Keith	Thornton
Kelt	Vale
Kenyon	Waggoner
King	Walker
Knetsch	Weldon
Langdon	Westbrook
Lankford	Winfree
Lanning	Wood
Leath	Worley

Absent

Alexander	Davisson
Baker	of Eastland
Bell	Dean
Brown	Derden
Davison of Fish	Felty

Fuchs	McConnell
Gibson	Morris
Hardin	Newton
Harper	Palmer
Harris of Archer	Patterson
Harris of Dickens	of Travis
Hartzog	Pope
Heflin	Riddle
Huddleston	Roark
Hyder	Settle
Johnson of Ellis	Stinson
Little	Tarwater

Absent—Excused

Howard	Petsch
Kern	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Powell, Mr. McKinney and Mr. Loggins:

H. B. No. 1065, A bill to be entitled "An Act to amend Section 12, Senate Bill No. 248, Chapter 95, Acts of the Regular Session of the Forty-fourth Legislature so as to extend the time of existence of the special Ninth District Court of Montgomery, Polk, and San Jacinto Counties, Texas."

Referred to the Committee on Judicial Districts.

Mr. Huddleston moved to introduce, at this time, and have placed on first reading, House Bill No. 1066.

The motion prevailed by the following vote:

Yeas—116

Adkins	Davis of Jasper
Alexander	Deglandon
Alsup	Derden
Amos	Dickison
Bates	Dollins
Beckworth	England
Blankenship	Farmer
Bond	Felty
Boyer	Fielden
Bradbury	Fox
Bradford	Graves
Bridgers	Hamilton
Broadfoot	Hankamer
Burton	Hanna
Cagle	Harbin
Callan	Harrell
Carssow	Harris of Dallas
Cathey	Herzik
Cauthorn	Holland
Celaya	Hoskins
Cleveland	Huddleston
Colquitt	Hull
Davis of Haskell	Jackson

James Johnson	Patterson of Mills
of Tarrant	Powell
Jones of Angelina	Prescott
Jones of Atascosa	Quinn
Jones of Falls	Ragsdale
Jones of Wise	Reader
Keith	Reed of Bowie
Kelt	Reed of Dallas
Kenyon	Rhodes
King	Ross
Knetsch	Russell
Langdon	Rutta
Lankford	Schuenemann
Lanning	Sewell
Leath	Sharpe
Leonard	Shell
Leyendecker	Simpson
Loggins	Skaggs
London	Smith of Hopkins
Lucas	Smith
Mann	of Matagorda
Mauritz	Smith of Tarrant
Mays	Stevenson
McCracken	Stocks
McDonald	Talbert
McFarland	Tennant
McKee	Tennyson
McKinney	Thornberry
Metcalf	Thornton
Moffett	Vale
Monkhouse	Waggoner
Morse	Weldon
Newton	Westbrook
Nicholson	Winfree
Oliver	Wood
	Worley

Absent

Baker	Hyder
Bell	Johnson of Ellis
Boethel	Keefe
Brown	Little
Davison of Fisher	McConnell
Davisson	Morris
of Eastland	Palmer
Dean	Patterson
Fuchs	of Travis
Gibson	Pope
Hardin	Riddle
Harper	Roark
Harris of Archer	Settle
Harris of Dickens	Stinson
Hartzog	Tarwater
Heflin	Walker

Absent—Excused

Howard	Petsch
Kern	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Huddleston:

H. B. No. 1066, A bill to be entitled "An Act requiring that preference in employment be given to citizens of the United States by the State of Texas and all political subdivisions thereof including cities and towns; providing that no money shall be paid out of the State Treasury or the Treasury of any city or town or other political subdivision of the State for the service or employment of any alien unless the appointing or employing officer certifies that no qualified resident American citizen can be found available for such employment, and declaring an emergency."

Referred to the Committee on State Affairs.

Mr. Fielden moved to introduce, at this time, and have placed on first reading, House Bill No. 1067.

The motion prevailed by the following vote:

Yeas—112

Adkins	Harbin
Alexander	Harrell
Alsup	Harris of Dallas
Amos	Heflin
Bates	Herzik
Beckworth	Holland
Blankenship	Hoskins
Boethel	Huddleston
Bond	Hull
Boyer	Jackson
Bradbury	James
Bridgers	Johnson
Broadfoot	of Tarrant
Burton	Jones of Angelina
Cagle	Jones of Atascosa
Callan	Jones of Falls
Carssow	Jones of Wise
Cathey	Keefe
Cauthorn	Keith
Celaya	Kelt
Cleveland	Kenyon
Colquitt	King
Davis of Haskell	Knetsch
Davis of Jasper	Langdon
Davisson	Lanning
of Eastland	Leath
Deglandon	Leonard
Derden	Leyendecker
Dickison	Loggins
England	London
Farmer	Lucas
Felty	Mays
Fielden	McCracken
Fox	McDonald
Graves	McFarland
Hamilton	McKee
Hankamer	McKinney
Hanna	Metcalf

Moffett	Simpson
Monkhouse	Skaggs
Newton	Smith of Hopkins
Nicholson	Smith
Patterson of Mills	of Matagorda
Powell	Smith of Tarrant
Prescott	Stevenson
Quinn	Stocks
Ragsdale	Talbert
Reed of Bowie	Tennant
Reed of Dallas	Tennyson
Rhodes	Thornberry
Ross	Thornton
Russell	Vale
Rutta	Waggoner
Schuenemann	Walker
Sewell	Weldon
Sharpe	Winfree
Shell	Wood

Absent

Baker	Mauritz
Bell	McConnell
Bradford	Morris
Brown	Morse
Davison of Fisher	Oliver
Dean	Palmer
Dollins	Patterson
Fuchs	of Travis
Gibson	Pope
Hardin	Reader
Harper	Riddle
Harris of Archer	Roark
Harris of Dickens	Settle
Hartzog	Stinson
Hyder	Tarwater
Johnson of Ellis	Westbrook
Little	Worley
Mann	

Absent—Excused

Howard	Petsch
Kern	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Fielden:

H. B. No. 1067, A bill to be entitled "An Act amending Article 2350, Revised Civil Statutes of Texas, 1925, as amended by the Acts of 1935, page 1036, Chapter 363, relating to salaries to be paid to the County Commissioners in certain counties, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Walker moved to introduce, at this time, and have placed on first reading, House Bill No. 1068.

The motion prevailed by the following vote:

Yeas—135

Adkins	Johnson of Ellis
Alexander	Johnson
Alsup	of Tarrant
Amos	Jones of Angelina
Baker	Jones of Atascosa
Bates	Jones of Falls
Beckworth	Jones of Wise
Bell	Keefe
Blankenship	Keith
Boethel	Kelt
Bond	Kenyon
Boyer	Knetsch
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Broadfoot	Leath
Brown	Leonard
Burton	Little
Cagle	Loggins
Callan	London
Carssow	Lucas
Cathey	Mann
Cauthorn	Mauritz
Celaya	Mays
Cleveland	McConnell
Colquitt	McCracken
Davis of Haskell	McDonald
Davis of Jasper	McKee
Davison	McKinney
of Eastland	Metcalfe
Dean	Moffett
Deglandon	Monkhouse
Dickison	Morris
Dollins	Morse
England	Newton
Farmer	Nicholson
Felty	Oliver
Fox	Palmer
Fuchs	Patterson of Mills
Fielden	Patterson
Gibson	of Travis
Graves	Pope
Hamilton	Powell
Hankamer	Prescott
Hanna	Quinn
Harbin	Ragsdale
Hardin	Reed of Bowie
Harper	Rhodes
Harrell	Riddle
Harris of Archer	Roark
Harris of Dallas	Ross
Harris of Dickens	Russell
Hartzog	Rutta
Heflin	Schuenemann
Herzik	Settle
Holland	Sewell
Hoskins	Sharpe
Hull	Shell
Hyder	Simpson
Jackson	Skaggs

Smith of Hopkins
Smith
of Matagorda
Smith of Tarrant
Stevenson
Stocks
Talbert
Tarwater
Tennant
Tennyson

Thornberry
Thornton
Vale
Waggoner
Walker
Weldon
Westbrook
Winfree
Wood

Absent

Davison of Fisher
Derden
Huddleston
James
King
Leyendecker

McFarland
Reader
Reed of Dallas
Stinson
Worley

Absent—Excused

Howard
Kern

Petsch

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Walker:

H. B. No. 1068, A bill to be entitled "An Act amending Article 2832 of Chapter 15, Title 49 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 127, Acts, Regular Session, Thirty-ninth Legislature, as amended by Chapter 27, Acts, First Called Session, Forty-second Legislature, and as amended by Chapter 133, Acts, Regular Session, Forty-third Legislature, and declaring an emergency."

Referred to the Committee on Education.

Mr. Graves moved to introduce, at this time, and have placed on first reading, House Bill No. 1069.

The motion prevailed by the following vote:

Yeas—129

Adkins
Alexander
Alsup
Amos
Baker
Bates
Beckworth
Bell
Boethel
Bond
Boyer
Bradbury

Bradford
Bridgers
Broadfoot
Brown
Burton
Callan
Carssow
Cathey
Cauthorn
Cleveland
Colquitt
Davis of Haskell

Davis of Jasper
Davison of Fisher
Davison
of Eastland
Dean
Deglandon
Dickison
Dollins
England
Farmer
Felty
Fielden
Fox
Gibson
Graves
Hamilton
Hankamer
Hanna
Harbin
Hardin
Harper
Harrell
Harris of Archer
Harris of Dallas
Harris of Dickens
Hartzog
Heflin
Herzik
Holland
Hoskins
Hull
Hyder
Jackson
Johnson of Ellis
Johnson
of Tarrant
Jones of Angelina
Jones of Atascosa
Jones of Falls
Jones of Wise
Keefe
Keith
Kelt
Kenyon
Knetsch
Langdon
Lankford
Lanning
Leath
Leonard
Little
Loggins
London
Lucas
Mann

Mauritz
Mays
McDonald
McKee
McKinney
Metcalf
Moffett
Monkhouse
Morris
Morse
Newton
Nicholson
Oliver
Palmer
Patterson of Mills
Patterson
of Travis
Pope
Prescott
Quinn
Ragsdale
Reader
Reed of Bowie
Rhodes
Roark
Russell
Rutta
Schuenemann
Settle
Sewell
Sharpe
Shell
Simpson
Skaggs
Smith of Hopkins
Smith
of Matagorda
Smith of Tarrant
Stevenson
Stinson
Stocks
Talbert
Tarwater
Tennant
Tennyson
Thornberry
Thornton
Vale
Waggoner
Walker
Weldon
Westbrook
Winfree
Wood

Absent

Blankenship
Cagle
Celaya
Derden
Fuchs
Huddleston
James

King
Leyendecker
McConnell
McCracken
McFarland
Powell
Reed of Dallas

Riddle
Ross

Worley

Absent—Excused

Howard
Kern

Petsch

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Graves:

H. B. No. 1069, A bill to be entitled "An Act amending House Bill No. 25, Acts 1931, Forty-second Legislature, First Called Session, P. 46, Chapter 26, as amended by Senate Bill No. 1, Acts, 1932, Forty-second Legislature, Fourth Called Session, P. 3, Chapter 2, by adding thereto a new Section, designated as Section 8a.; providing for time within which appeal may be filed from any rule, regulation, or order of the Railroad Commission of Texas, and declaring an emergency."

Referred to the Committee on Judiciary.

HOUSE BILL NO. 600 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment.

H. B. No. 600, A bill to be entitled "An Act to amend Chapter 350, Acts of Forty-fourth Legislature, being the Rural Aid appropriation, by providing additional appropriation for carrying out provisions of said Act, repealing all conflicting laws, and declaring an emergency."

The bill having been read second time on yesterday.

Mr. Thornton offered the following committee amendment to the bill:

Amend House Bill No. 600, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated out of any funds now in the State Treasury not otherwise appropriated the sum of Five Hundred and Sixty Thousand (\$560,000.00) Dollars as a supplemental appropriation to the funds appropriated by House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature.

"Sec. 2. The funds herein appropriated are to be expended under the direction of the State Board of Education, and the State Superintendent of Public Instruction, under the terms of the aforementioned House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, and as provided in this Act.

"Sec. 3. The funds herein appropriated, together with those appropriated by the aforementioned House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, are to be prorated between the schools which are eligible to receive aid under the provisions of said House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, which have been approved for certain amounts by the State Department of Education heretofore, so that each school is to receive the same proportionate share of the allotment heretofore approved for it, and the amount prorated to each school is hereby designated to be the full and complete payment of any claims made by any school for aid under said House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature.

"Sec. 4. All applications for transportation aid, salary aid, and industrial aid, in order to be eligible to participate in the provisions of this Act, shall have been on file and approved by the State Board of Education prior to January 1, 1937, and all applications for tuition aid shall be filed with the State Department of Education not later than June 10, 1937, in order to be eligible to participate in tuition aid.

"Sec. 5. There is also allocated hereby, out of the funds appropriated by this Act and by the said House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, the sum of One Hundred and Thirty-seven Thousand (\$137,000.00) Dollars, to be used exclusively for increasing the allotment to those schools which received Rural Aid during the fiscal year of September 1, 1935, to September 1, 1936, and which received less than eighty-seven (87%) per cent of the amount originally allotted to

them by the State Department of Education. This money is to be prorated between the schools eligible to receive same in such a manner so that each school sharing thereunder shall receive the same percentage of its original allotment as all other schools sharing hereunder.

"Sec. 6. The fact that there are insufficient funds to pay the amounts of Rural Aid said to be needed by the schools of Texas in order for them to operate their full term this year creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Harbin offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 600, Section 1, by striking out the words and figures "Five Hundred and Sixty Thousand (\$560,000.00) Dollars", and inserting in lieu thereof the words and figures: "One Million Seven Hundred and One Thousand Three Hundred and Ninety-one (\$1,701,391.00) Dollars".

HARBIN,
HARDIN,
LUCAS,
JOHNSON of Ellis,
WELDON,
RAGSDALE,
HARRELL,
RHODES,
SIMPSON,
RUSSELL,
SHARPE,
OLIVER,
CALLAN,
DAVIS of Jasper,
TALBERT,
PRESCOTT,
SEWELL,
CATHEY,
DAVISSON
of Eastland,
JONES of Angelina,
HARPER,
NEWTON,
PATTERSON
of Mills,
MAYS,
KELT.

Mr. Smith of Hopkins offered the following substitute for the amendment by Mr. Harbin:

Amend committee amendment No. 1, Section 1, by striking out the words and figures "Five Hundred and Sixty Thousand (\$560,000.00) Dollars" and insert in lieu thereof the words and figures "One Million and Eighty Thousand (\$1,080,000.00) Dollars".

SMITH of Hopkins,
BATES,
BROADFOOT,
BECKWORTH,
HARBIN,
LANKFORD,
FIELDEN,
HARRIS of Archer,
CATHEY.

(Mr. Reed of Dallas in the Chair.)

Question—Shall the substitute amendment be adopted?

MESSAGE FROM THE SENATE

Austin, Texas, April 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House Amendments to Senate Bill No. 74 and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Redditt, Pace, Stone, Shivers and Brownlee.

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 240, "An Act amending Article 2525, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2526, R. C. S. of Texas, 1925, Article 2527, R. C. S. of Texas, 1925, Article 2528, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2529, R. C. S. of Texas, 1925, Article 2530, R. C. S. of Texas, 1925, Article 2531, R. C. S. of Texas, 1925, Article 2532,

R. C. S. of Texas, 1925, Article 2533, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, Article 2534, R. C. S. of Texas, 1925, Article 2535, R. C. S. of Texas, 1925, Article 2537, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature; repealing all laws and parts of laws in conflict and expressly repealing Article 2539, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts, First Called Session, Forty-third Legislature, and declaring an emergency."

MESSAGE FROM THE SENATE

Austin, Texas, April 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 435, A bill to be entitled "An Act making an appropriation of \$10,000 to be used by the Attorney General for the purpose of paying costs and expenses in prosecuting the suit of the State of Texas for recovery of transfer, succession or inheritance tax against the estate of Edward H. R. Green, under the provisions of Chapter 5, Title 122, Revised Civil Statutes of Texas, 1925, as amended, and declaring an emergency."

The Senate passed the following:

Senate Bill No. 114, Notwithstanding the veto of the Governor, by the following vote: Yeas, 18; Nays, 7.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 435, to the Committee on Appropriations.

AUTHORIZING CERTAIN COR- RECTION IN HOUSE BILL NO. 198

Mr. Quinn offered the following resolution:

Whereas, Certain typographical errors have been found in House Bill No. 198 since its final passage by the House; now, therefore, be it

Resolved, That the Engrossing Clerk of the House be authorized to change the words "Forty-second Legislature" to "Forty-fourth Legislature", in line 25, page 1 of the printed bill, and to insert the words "of meters" between the words "installation" and "of" in line 36, page 2, of the printed bill.

The resolution was read second time, and was adopted.

RECESS

Mr. Blankenship moved that the House recess until 2:30 o'clock p. m., today.

Mr. Harbin moved that the House recess until 2:00 p. m., today.

Question first recurring on the motion by Mr. Harbin that the House recess until 2:00 o'clock p. m., today, it was lost.

Question next recurring on the motion by Mr. Blankenship, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., took recess until 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

AUTHORIZING CERTAIN CORREC- TION IN HOUSE BILL NO. 131

Mr. Tennyson offered the following resolution:

H. C. R. No. 87, Concerning certain corrections to House Bill No. 131.

Whereas, The Conference Report on House Bill No. 131 has been finally adopted by both the House and the Senate; and

Whereas, Section 4 is the emergency clause of said Conference Report; and

Whereas, Said Section 4 contains the words and figures "eight per cent (8%)", a typographical error, in referring to a previous bill; and

Whereas, Same should be the words and figures "ten per cent (10%)"; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk be instructed to change the words and figures "eight per cent (8%)" in Section 4, the emergency clause, to the words and figures "ten per cent (10%)".

The resolution was read second time, and was adopted.

INVITING THE TEXAS CHRISTIAN UNIVERSITY GLEE CLUB TO APPEAR BEFORE THE HOUSE

Mr. Smith of Tarrant offered the following resolution:

Whereas, On the 8th day of April, 1937, there will be in the City of Austin, Mr. W. J. Marsh and his Glee Club from Texas Christian University of Fort Worth, Texas; and

Whereas, Mr. W. J. Marsh has rendered outstanding services in the musical field and is the composer of "Texas My Texas"; and

Whereas, His Glee Club has sung many songs in various points in Texas and is recognized among the best in this line of work; now, therefore, be it

Resolved, That the House of Representatives invite Mr. W. J. Marsh and his Glee Club to appear before the House at Eleven a. m., Thursday, April 8th, and give a few musical numbers.

SMITH of Tarrant,
JOHNSON of Tarrant.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, April 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate refused to pass over the veto of the Governor

S. B. No. 1, A bill to be entitled "An Act repealing Article 6203, Revised Civil Statutes of 1925 as amended by Chapter 45, Acts of the Forty-first Legislature, First Called Session, Chapter 9, Fourth Called Session of the Forty-first Legislature, and Chapter 11, Fifth Called Session

of the Forty-first Legislature, creating a Board of Pardons and Paroles, and declaring an emergency."

By the following vote:

Yeas, 10; nays, 19.

Has passed

H. B. No. 258, A bill to be entitled "An Act creating Firemen's Relief and Retirement Fund in the State of Texas, and declaring an emergency." (With amendment.)

H. B. No. 706, A bill to be entitled "An Act providing for the employment by the County Board of School Trustees and the County Superintendent of rural school supervisors in counties having population of not less than 290,000, nor more than 320,000 to act as such in the work of the primary and intermediate grades of the rural schools of the county; . . . etc., and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 600 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 600, concerning certain appropriation for the aid and support of the Rural Schools of the State, on its passage to engrossment.

The bill having heretofore been read second time, with committee amendment offered by Mr. Thornton, amendment by Mr. Harbin, to the committee amendment, and substitute by Mr. Smith of Hopkins for the amendment by Mr. Harbin, pending.

Mr. Skaggs moved the previous question on the pending amendments, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Holland moved the previous question on the substitute amendment by Mr. Smith of Hopkins, and the amendment by Mr. Harbin to the committee amendment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Johnson of Ellis moved the previous question on the pending amendments, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Reader moved the previous question on the pending amendments, and the main question was ordered.

Question first recurring on the substitute amendment by Mr. Smith of Hopkins, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

Yeas—113

Alexander	Johnson
Alsup	of Tarrant
Amos	Jones of Angelina
Baker	Jones of Atascosa
Bates	Jones of Falls
Beckworth	Jones of Wise
Bell	Keefe
Blankenship	Keith
Boethel	King
Bond	Knetsch
Boyer	Langdon
Bradford	Lankford
Bridgers	Lanning
Broadfoot	Leath
Burton	Leonard
Cagle	Little
Callan	London
Cauthorn	Mann
Cleveland	Mauritz
Davis of Haskell	Mays
Davis of Jasper	McConnell
Davison of Fisher	McDonald
Davisson	McFarland
of Eastland	McKee
Deglandon	Metcalfe
Derden	Moffett
Dickison	Monkhouse
Dollins	Morris
England	Morse
Farmer	Newton
Felty	Nicholson
Fielden	Oliver
Fox	Palmer
Fuchs	Patterson of Mills
Gibson	Patterson
Graves	of Travis
Hamilton	Powell
Hankamer	Prescott
Hanna	Ragsdale
Harbin	Reed of Dallas
Harper	Riddle
Harris of Archer	Roark
Harris of Dallas	Rutta
Hartzog	Schuenemann
Heflin	Settle
Herzik	Sharpe
Holland	Shell
Hoskins	Simpson
Howard	Skaggs
Hull	Smith of Hopkins
Hyder	Smith of Tarrant
Jackson	Stevenson
James	Stinson

Talbert
Tarwater
Tennant
Tennyson
Thornberry

Thornton
Waggoner
Walker
Westbrook
Wood

Nays—26

Adkins	McKinney
Brown	Quinn
Carssow	Reader
Cathey	Reed of Bowie
Colquitt	Rhodes
Hardin	Russell
Harrell	Sewell
Harris of Dickens	Smith
Huddleston	of Matagorda
Johnson of Ellis	Stocks
Kelt	Weldon
Leyendecker	Winfree
Loggins	Worley
Lucas	

Present—Not Voting

Ross

Absent

Bradbury	McCracken
Celaya	Pope
Dean	Vale
Kenyon	

Absent—Excused

Kern

Petsch

Question next recurring on the amendment to the committee amendment, as substituted, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—83

Adkins	Fielden
Alsup	Hamilton
Amos	Hanna
Baker	Harbin
Bates	Hardin
Beckworth	Harper
Blankenship	Harrell
Bond	Harris of Archer
Boyer	Harris of Dallas
Bradbury	Harris of Dickens
Bridgers	Heflin
Broadfoot	Herzik
Brown	Holland
Cagle	Huddleston
Callan	Hyder
Cathey	Johnson of Ellis
Cleveland	Jones of Angelina
Davison	Jones of Wise
of Eastland	Keefe
Deglandon	Kelt
Derden	King
Farmer	Langdon

Lankford	Reed of Bowie
Lanning	Reed of Dallas
Leath	Rhodes
Little	Roark
Loggins	Russell
Lucas	Schuenemann
Mann	Sewell
Mays	Sharpe
McConnell	Simpson
McDonald	Skaggs
McKee	Smith of Hopkins
Moffett	Smith of Tarrant
Monkhouse	Talbert
Morris	Tarwater
Morse	Tennant
Oliver	Tennyson
Palmer	Weldon
Patterson of Mills	Westbrook
Prescott	Winfree
Ragsdale	Worley

Nays—59

Alexander	Keith
Bell	Knetsch
Boethel	Leonard
Bradford	Leyendecker
Burton	London
Carssow	Mauritz
Cauthorn	McCracken
Celaya	McFarland
Colquitt	McKinney
Davis of Haskell	Metcalfe
Davis of Jasper	Newton
Davison of Fisher	Nicholson
Dickison	Patterson
Dollins	of Travis
England	Powell
Felty	Quinn
Fox	Reader
Fuchs	Riddle
Gibson	Ross
Graves	Rutta
Hankamer	Settle
Hartzog	Smith
Hoskins	of Matagorda
Howard	Stevenson
Hull	Stinson
Jackson	Stocks
James	Thornberry
Johnson	Thornton
of Tarrant	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wood

Absent

Dean	Shell
Kenyon	Vale
Pope	

Absent—Excused

Kern	Petsch
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Question then recurring on the committee amendment, as amended, it was adopted.

Mr. Smith of Hopkins moved to reconsider the vote by which the committee amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Davison of Fisher offered the following amendment to the bill:

Amend House Bill No. 600, Section No. 5, by adding a new section thereto to be known as Section 5a and to read as follows:

"Section 5a. Out of the funds above appropriated, there is set aside for the purpose of more accurately checking and making transfers and census and paying costs of labor, material, supplies, and travel incident thereto the sum of Ten Thousand (\$10,000.00) Dollars to the Division of Census, State Department of Education, to be expended as are other funds for administration expenses of the Equalization Law."

DAVISON of Fisher,
HARRIS of Dickens.

The amendment was adopted.

Mr. Keefe offered the following amendment to the bill:

Amend House Bill No. 600, Section 2, by adding a new subsection to be known as Subsection 2b, which shall read as follows:

"Sec. 2-b. Provided, however, that before any grants of aid are allowed under the provisions of this Act or under the provisions of House Bill No. 327, Chapter 350, Acts of Forty-fourth Legislature, such grants of aid shall be submitted to and be finally approved by a majority of a joint committee of the Forty-fifth Legislature to be chosen and empowered as follows:

"(1) The Speaker of the House of Representatives and the President of the Senate shall each appoint three Members to said joint committee. Said joint committee shall be appointed and proceed to organization within three days after the passage of this Act. The joint committee aforementioned shall select a chairman and a vice-chairman and shall be empowered to make such rules and regulations as will insure the efficient and fair distribution of these funds.

"(2) The joint committee is hereby empowered to increase or decrease any amount, and to deny in whole or in part any grant of funds recommended by the State Superintendent or the State Board of Education.

"(3) The joint committee is further empowered to examine any and all records of the State Department of Education and the State Board of Education, to administer oaths, to subpoena witnesses and records, and to investigate the administration of funds heretofore distributed by the State Superintendent and the State Board of Education, and to make such recommendations regarding education in Texas as they may see fit to propose.

"(4) There is hereby appropriated the sum of Fifteen Hundred (\$1,500.00) Dollars out of the Contingent Expense Fund of the Forty-fifth Legislature to pay the expenses of the joint committee."

KEEFE,
BRADBURY,
FIELDEN,
DAVISON of Fisher,
LONDON,
BOND.

Mr. Mays raised a point of order, on consideration of the amendment, on the ground that the amendment seeks to provide for certain investigation and that same should be provided for by resolution.

The Speaker overruled the point of order.

Mr. McConnell raised a point of order, on further consideration of the amendment, on the ground that the amendment violates Section 18 of Article III of the Constitution.

The Speaker overruled the point of order.

Mr. Alsop raised a point of order, on consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker overruled the point of order.

Mr. Alsop moved to table the amendment by Mr. Keefe.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—63

Alsop	Brown
Bates	Callan
Beckworth	Carssow
Boethel	Cathey
Bond	Cleveland
Boyer	Colquitt
Broadfoot	Davis of Jasper

Davison of Fisher	Monkhouse
Dickison	Newton
Farmer	Oliver
Fuchs	Patterson of Mills
Harbin	Patterson
Hardin	of Travis
Harrell	Ragsdale
Harris of Dallas	Reed of Bowie
Harris of Dickens	Ross
Huddleston	Russell
Hyder	Rutta
Jackson	Settle
Johnson of Ellis	Sewell
Johnson	Simpson
of Tarrant	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Atascosa	Smith of Tarrant
King	Stevenson
Langdon	Talbert
Lanning	Tarwater
Leath	Tennyson
Mays	Thornberry
McConnell	Walker
McDonald	Weldon
McFarland	Winfree
Metcalfe	

Nays—70

Alexander	Kelt
Amos	Knetsch
Baker	Lankford
Bell	Leyendecker
Blankenship	Little
Bradbury	Loggins
Bradford	London
Bridgers	Lucas
Burton	Mann
Cauthorn	Mauritz
Celaya	McKee
Davis of Haskell	McKinney
Davison	Moffett
of Eastland	Morris
Deglandon	Morse
Dollins	Palmer
England	Powell
Felty	Prescott
Fielden	Quinn
Fox	Reader
Gibson	Reed of Dallas
Graves	Rhodes
Hamilton	Riddle
Hankamer	Roark
Hanna	Schuenemann
Harper	Sharpe
Harris of Archer	Smith
Hartzog	of Matagorda
Heflin	Stinson
Holland	Stocks
Hoskins	Tennant
Hull	Thornton
James	Waggoner
Jones of Wise	Westbrook
Keefe	Wood
Keith	Worley

Present—Not Voting

Herzik

Absent

Adkins	Leonard
Cagle	McCracken
Dean	Nicholson
Derden	Pope
Howard	Shell
Jones of Falls	Vale
Kenyon	

Absent—Excused

Kern

Petsch

Question recurring on the amendment by Mr. Keefe, it was adopted.

Mr. Keefe moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Brown offered the following amendment to the bill:

Amend House Bill No. 600, by striking out all of Section 4, and substituting therefor the following:

"All applications for transportation aid, salary aid, and industrial aid in order to be eligible to participate in the provisions of this Act, shall have been declared eligible for aid by the State Board of Education, under the provisions of House Bill No. 327, being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, and shall have been on file and approved by the State Board of Education prior to the passage of this Act, and all applications for tuition aid shall be filed with the State Department of Education not later than June 10, 1937, in order to be eligible to participate in tuition aid."

The amendment was adopted.

Mr. Alsup raised a point of order, on further consideration of the bill, on the ground that the bill as amended violates certain constitutional provisions.

The Speaker overruled the point of order.

Mr. Wood offered the following amendment to the bill:

Amend House Bill No. 600, by adding the following after the word "Act" in Section 4, page 2:

"All funds or monies rented or allocated under the provisions of this Act, shall be used for the purposes specified under the provisions of House Bill No. 327, Chapter 350, Acts

of the Regular Session of the Forty-fourth Legislature, or under the provisions of this Act, and in no case shall the funds or monies be used for any other purposes.

"Any person or persons, firms, corporations, partnerships who shall misappropriate or use any of the funds or monies granted or allocated under the provisions of this Act for any other purpose except those specified in House Bill No. 327, Chapter 350, Acts of the Regular Session of the Forty-fourth Legislature, or under the provisions of this Act, shall be deemed guilty of misappropriation of public funds and upon conviction shall be fined not less than \$200.00 nor more than \$1,000.00 or confined in the County Jail not less than six months or more than one year or both such fine and imprisonment."

The amendment was adopted.

Mr. Boethel offered the following amendment to the bill:

Amend House Bill No. 600, Section 1, by adding at the close of Section 1, the following:

" , provided that no funds herein appropriated shall be granted to a school district which has paid out of its public funds any money or monies to any person or association for the purpose of securing legislative aid."

The amendment was adopted.

Mr. Wood and Mr. Keith offered the following amendment to the bill:

Amend House Bill No. 600, by adding thereto a new section, numbered 5A, reading as follows:

"There is also allocated hereby, out of the funds appropriated by this Act and by the said House Bill No. 327, the same being Chapter 350 of the Acts of the Regular Session of the Forty-fourth Legislature, the sum of Three Thousand (\$3,000.00) Dollars or so much thereof as may be necessary, to be used exclusively by the State Auditor in making, and causing to be made, immediately, a full and thorough investigation and audit of the expenditures made of the funds appropriated by the said House Bill No. 327 and by this Act, and to make a public report thereof."

WOOD,
KEITH,
LONDON,
TENNYSON.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 600 was then passed to engrossment.

HOUSE BILL NO. 600 ON THIRD READING

Mr. Lucas moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 600 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—130

Alexander	Harris of Archer
Alsup	Harris of Dallas
Amos	Harris of Dickens
Baker	Hartzog
Bates	Heflin
Beckworth	Herzik
Bell	Holland
Blankenship	Hoskins
Boethel	Howard
Bond	Huddleston
Boyer	Hull
Bradbury	Hyder
Bradford	Jackson
Bridgers	James
Broadfoot	Johnson of Ellis
Brown	Johnson
Burton	of Tarrant
Cagle	Jones of Angelina
Callan	Jones of Atascosa
Carssow	Jones of Wise
Cathey	Keith
Cauthorn	King
Celaya	Langdon
Cleveland	Lankford
Colquitt	Lanning
Davis of Haskell	Leath
Davis of Jasper	Leonard
Davison of Fisher	Leyendecker
Davisson	Loggins
of Eastland	London
Deglandon	Lucas
Derden	Mann
Dickison	Mauritz
Dollins	Mays
England	McConnell
Farmer	McCracken
Felty	McDonald
Fielden	McFarland
Fox	McKee
Fuchs	McKinney
Graves	Metcalf
Hamilton	Moffett
Hanna	Monkhouse
Hardin	Morris
Harper	Morse
Harrell	Newton

Nicholson	Sharpe
Oliver	Shell
Palmer	Simpson
Patterson of Mills	Skaggs
Patterson	Smith of Hopkins
of Travis	Smith
Powell	of Matagorda
Prescott	Stevenson
Quinn	Stinson
Ragsdale	Stocks
Reader	Talbert
Reed of Dallas	Tarwater
Rhodes	Tennant
Riddle	Tennyson
Roark	Thornberry
Ross	Waggoner
Russell	Walker
Rutta	Weldon
Schuenemann	Westbrook
Settle	Winfree
Sewell	Worley

Nays—5

Gibson	Thornton
Hankamer	Wood
Knetsch	

Absent

Adkins	Kenyon
Dean	Little
Harbin	Pope
Jones of Falls	Reed of Bowie
Keefe	Smith of Tarrant
Kelt	Vale

Absent—Excused

Kern	Petsch
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The Speaker then laid House Bill No. 600 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—135

Alexander	Carssow
Alsup	Cathey
Amos	Cauthorn
Baker	Celaya
Bates	Cleveland
Beckworth	Colquitt
Bell	Davis of Haskell
Blankenship	Davis of Jasper
Boethel	Davison of Fisher
Bond	Davisson
Boyer	of Eastland
Bradbury	Deglandon
Bradford	Derden
Bridgers	Dickison
Broadfoot	Dollins
Brown	England
Burton	Farmer
Cagle	Felty
Callan	Fielden

Fox	Metcalf
Fuchs	Moffett
Graves	Monkhouse
Hamilton	Morris
Hanna	Morse
Harbin	Newton
Hardin	Oliver
Harper	Palmer
Harrell	Patterson of Mills
Harris of Archer	Patterson
Harris of Dallas	of Travis
Harris of Dickens	Pope
Hartzog	Powell
Heflin	Prescott
Herzik	Quinn
Holland	Ragsdale
Hoskins	Reader
Howard	Reed of Bowie
Huddleston	Reed of Dallas
Hull	Rhodes
Hyder	Riddle
Jackson	Roark
James	Ross
Johnson of Ellis	Russell
Johnson	Rutta
of Tarrant	Schuenemann
Jones of Angelina	Settle
Jones of Atascosa	Sewell
Jones of Wise	Sharpe
Keefe	Shell
Keith	Simpson
King	Skaggs
Langdon	Smith of Hopkins
Lankford	Smith
Lanning	of Matagorda
Leath	Smith of Tarrant
Leonard	Stevenson
Leyendecker	Stinson
Little	Stocks
Loggins	Talbert
London	Tarwater
Lucas	Tennant
Mann	Tennyson
Mauritz	Thornberry
Mays	Waggoner
McConnell	Walker
McCracken	Weldon
McDonald	Westbrook
McFarland	Winfree
McKee	Worley
McKinney	

Nays—5

Gibson	Thornton
Hankamer	Wood
Knetsch	

Absent

Adkins	Kenyon
Dean	Nicholson
Jones of Falls	Vale
Kelt	

Absent—Excused

Kern	Petsch
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Mr. Keefe moved to reconsider the vote by which House Bill No. 600 was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 726 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 726, A bill to be entitled "An Act (1 and 2) to create and establish San Antonio River Canal and Conservancy District under authority of Section 59 of Article XVI of the Constitution of Texas, to be a Governmental Agency, a body politic, municipal and corporate; also stating the intent and defining certain words and expressions as used in this Act; (3) designating the area to be embraced in the District and making provision for excluding lands from, or adding lands to, the area of the District and prescribing the manner for so doing; . . . etc., and providing a day upon which this Act is to be effective."

The bill having heretofore been read second time.

Question—Shall House Bill No. 726 pass to engrossment?

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption has been read, the following enrolled bill:

H. B. No. 706, "An Act providing for the employment by the County Board of School Trustees and the County Superintendent of rural school supervisors in counties having population of not less than 290,000, nor more than 320,000 to act as such in the work of the primary and intermediate grades of the rural schools of the county; . . . etc., and declaring an emergency."

REQUEST OF SENATE GRANTED

On motion of Mr. Celaya, the House granted the request of the Senate for the appointment of a conference committee to adjust the differences between the two Houses on Senate Bill No. 74.

SPECIAL ORDER SET

Mr. Davison of Fisher moved that House Bill No. 397 be set as a special order for 11:00 o'clock a. m., next Thursday.

HOUSE BILL NO. 258 WITH SENATE AMENDMENTS

Mr. Metcalfe called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 258, A bill to be entitled "An Act creating Firemen's Relief and Retirement Fund in the State of Texas and in all cities, towns, and villages thereof having a regularly organized fire department with fire fighting equipment or apparatus of the value of One Thousand (\$1,000.00) Dollars or more therein; levying and appropriating the proceeds of a designated tax upon gross fire insurance premium receipts, less re-insurance and return premiums paid policyholders, to such Firemen's Relief and Retirement Fund; providing for and directing the distribution thereof; creating and providing for selection of a Board of Firemen's Relief and Retirement Fund Trustees in each such city, town or village that may now be or that may hereafter come within the provisions of this Act; . . . etc., and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Metcalfe, the House concurred in the Senate amendments by the following vote:

Yeas—133

Alexander	Deglandon
Alsup	Derden
Amos	Dickison
Baker	Dollins
Bates	England
Beckworth	Farmer
Bell	Felty
Blankenship	Fielden
Boethel	Fox
Bond	Fuchs
Boyer	Gibson
Bradbury	Graves
Bradford	Hamilton
Bridgers	Hankamer
Broadfoot	Hanna
Burton	Harbin
Cagle	Hardin
Carssow	Harper
Cathey	Harrell
Cauthorn	Harris of Archer
Celaya	Harris of Dallas
Cleveland	Harris of Dickens
Davis of Haskell	Hartzog
Davison of Fisher	Heflin
Davisson	Herzik
of Eastland	Holland

Hoskins	Palmer
Howard	Patterson of Mills
Huddleston	Patterson
Hull	of Travis
Hyder	Pope
Jackson	Powell
James	Prescott
Johnson of Ellis	Quinn
Johnson	Ragsdale
of Tarrant	Reader
Jones of Angelina	Reed of Bowie
Jones of Atascosa	Reed of Dallas
Jones of Wise	Rhodes
Keefe	Riddle
Keith	Roark
Kelt	Ross
King	Russell
Knetsch	Rutta
Langdon	Schuenemann
Lankford	Settle
Lanning	Sewell
Leath	Shell
Leonard	Simpson
Leyendecker	Skaggs
Little	Smith of Hopkins
Loggins	Smith
London	of Matagorda
Lucas	Smith of Tarrant
Mann	Stevenson
Mauritz	Stinson
Mays	Stocks
McConnell	Talbert
McDonald	Tennant
McFarland	Tennyson
McKee	Thornberry
McKinney	Thornton
Metcalfe	Walker
Moffett	Weldon
Monkhouse	Westbrook
Morris	Winfree
Morse	Wood
Newton	Worley
Oliver	

Nays—1

Colquitt

Absent

Adkins	McCracken
Brown	Nicholson
Callan	Sharpe
Davis of Jasper	Tarwater
Dean	Vale
Jones of Falls	Waggoner
Kenyon	

Absent—Excused

Kern

Petsch

NOTICES GIVEN

Mr. Talbert gave notice, that he would, on the next legislative day, move to take up for consideration, at that time, House Bill No. 996, which

bill was heretofore laid on the table subject to call.

Mr. Reed of Dallas gave notice, that he would, on the next legislative day, move to take up for consideration, at that time, House Bill No. 144, which bill was heretofore laid on the table subject to call.

ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr. Bell, House Bill No. 710.

Mr. Thornton, House Bill No. 725.

MESSAGE FROM THE SENATE

Austin, Texas, April 6, 1937.
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House amendments to Senate Bill No. 261 and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Rawlings, Moore, Collie, Shivers and Roberts.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

On motion of Mr. Metcalfe, the House, at 5:45 o'clock p. m., took recess to 7:30 o'clock p. m., today.

NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Adkins was granted leave of absence for tonight, on account of illness, on motion of Mr. Jones of Falls.

HOUSE BILL NO. 51 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 51, A bill to be entitled "An Act to amend Article 2943, Revised Civil Statutes of 1925, State of Texas, and declaring an emergency."

The bill was read second time.

Mr. Mann offered the following amendment to the bill:

Amend House Bill No. 51, by striking out all of Section 1, and inserting in lieu thereof the following:

"Section 1. Article 2943, Revised Civil Statutes, State of Texas, 1925, be and the same is hereby amended to hereafter read as follows:

Article 2943. Pay of Judges and Clerks. Judges and clerks of general and special elections shall be paid Three Dollars a day each, and thirty cents per hour each for any time in excess of a days work as herein defined; provided that in all counties having a population in excess of three hundred and fifty-five thousand (355,000) inhabitants, according to the last preceding or any future Federal Census, such judges and clerks shall be paid Five (\$5.00) Dollars a day each, and fifty (50) cents per hour each for any time in excess of a day's work as herein defined. The judge who delivers the returns of election immediately after the votes have been counted shall be paid Two Dollars for that service, provided the polling place of his precinct is at least two miles from the courthouse, and provided also he shall make returns of all election supplies not used when he makes return of the election. Ten working hours shall be considered a day within the meaning of this Article. The compensation of judges and clerks of general and special elections shall be paid by the county treasurer of the county where such services are rendered upon order of the commissioners court of such county."

The amendment was adopted.

House Bill No. 51 was then passed to engrossment.

HOUSE BILL NO. 115 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 115, A bill to be entitled "An Act to amend Article 1442, Chapter 10, Title 17 of the Penal Code of the State of Texas, 1925, by increasing the maximum penalty for

the theft of sheep or goat from four years to ten years, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 116 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 116, A bill to be entitled "An Act to amend Article 1441, Chapter 10, Title 17 of the Penal Code of the State of Texas, 1925, by increasing the maximum penalty for the theft of cattle or hog from four years to ten years, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 163 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 163, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by General or Special Law or by County Boards of Trustees; providing no transfer of territory is validated by the Act unless authorized by an affirmative vote of voters in such districts; validating the acts of said County Boards of Trustees and Boards of Trustees of such districts; validating all proceedings and acts of said Boards of Trustees; validating all bonds voted, authorized and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; authorizing and empowering all school districts mentioned in this Act to levy, assess, and collect the same rate of taxes as is now being levied, or attempted to be authorized by any act, or acts of said districts, or by any Act of the Legislature; making certain ex-

emptions, and declaring an emergency."

The bill was read second time.

Mr. Worley offered the following amendment to the bill:

Amend House Bill No. 163, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. All school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, groups or annexations of whole districts or parts of districts by vote of the people residing in such districts or by action of County School Boards in the Counties of Collingsworth, Hemphill and Wheeler, whether created by General or Special Law of this State, and heretofore laid out and established or attempted to be established by the proper officers of any such county or counties or by the Legislature of the State of Texas, and heretofore recognized by either State or county authorities of such county or counties as school districts, are hereby validated in all respects as though they had been duly and legally established in the first instance insofar as such county or counties are concerned. All acts of the Boards of Trustees in such districts affected by this Act ordering an election or elections, declaring the results of such elections, levying, attempting or purporting to levy taxes for and on behalf of such school district, and all bonds issued and now outstanding, and all bonds heretofore voted but not yet issued, are hereby in all things validated. The fact that by inadvertence or oversight any act of the officers of any such county or counties named in this Act in the creation of any such district was omitted shall in no wise invalidate such district, and the fact that by inadvertence or oversight any act was omitted by the Board of Trustees of any such district in any County named in this Act in ordering an election or elections, or in declaring the results thereof, or in levying the taxes for such district, or in the

issuance of the bonds of any such district in any county named in this Act, shall in no wise invalidate any of such proceedings or any bonds so issued by such districts.

All acts of the County Boards of Trustees of any of the counties named in this Act in rearranging, changing, or subdividing such school districts or increasing or decreasing the area thereof, in any school district of any kind in any of the counties named in this Act, or in creating new districts out of parts of existing districts or otherwise in said counties, are hereby in all things validated.

Provided, however, that no action or resolution purporting to transfer any territory from one district to another district, without an affirmative vote of the voters in the districts affected shall be validated by the passage of this Act.

"Sec. 2. All school districts in any counties mentioned in this Act are hereby authorized and empowered to levy, assess, and collect the same rate of tax as is now being levied, assessed and collected therein and heretofore authorized or attempted to be authorized by any act, or acts of said districts, or by any Act, whether general or special, of the Legislature.

Sec. 3. This law shall not apply to any district in the said counties of Collingsworth, Hemphill and Wheeler, the organization or creation of which is now involved in litigation. Provided further that this Act shall not apply to any district in such county or counties which may have been established or consolidated and which has later returned to its original status and has been so recognized by the proper authorities, provided, however, if and when any such litigation shall be finally terminated, in a manner favorable to such district, then this Act shall apply thereto.

"Sec. 4. If any word, phrase, clause, sentence, paragraph, section, or part of this bill shall be held by any court of competent jurisdiction to be invalid, as unconstitutional, or for other reasons, it shall not affect any other word, phrase, clause, sentence, paragraph, section or part of this Act.

"Sec. 5. The fact that the legal existence of various school districts within the counties of Collingsworth, Hemphill and Wheeler may be questioned creates an emergency and an

imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Worley offered the following amendment to the amendment:

Amend amendment to House Bill No. 163, by including "Gray County" in the provisions of same.

The amendment was adopted.

The amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 163 was then passed to engrossment.

HOUSE BILL NO. 259 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 259, A bill to be entitled "An Act amending Title 25, Article 911b, Section 6, of the Revised Statutes of the State of Texas, 1925, (Acts, 1929, Forty-first Legislature, page 698, Chapter 314, as amended by Acts, 1931, Forty-second Legislature, page 480, Chapter 277, Section 3) providing for the sale, lease, assignment, and/or transfer of permits owned or obtained under this section; repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 284 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 284, A bill to be entitled "An Act amending Article 5714 of the Revised Civil Statutes of the State of Texas, of 1925, as amended by Chapter 83, Section 1, Acts of the Regular Session of the Forty-second Legislature, giving the Commissioner of Agriculture authority to make specific regulations with reference to Specifications and Tolerances for weighing and measuring devices and their use, and declaring an emergency."

The bill was read second time.

Mr. Winfree offered the following committee amendment to the bill:

Amend House Bill No. 284, as follows:

In the fourth sentence, beginning after the fifth comma, strike out "together with tolerances for same as the Commissioner may in his best judgment deem necessary for the proper protection of the public" and substitute in lieu thereof the following: "which shall be designed to protect the public from deception and fraud, by standardizing the method of sale of any commodity, product, or article: Provided, however, that reasonable variations shall be permitted which shall conform to the provisions of (Section 2) Article 1037b, Title 14, Chapter 5 of the Revised Criminal Statutes of 1925".

Strike out the last word in the fifth sentence, to-wit: "incorrect" and substitute in lieu thereof, the following: "false".

In the sixth sentence, beginning with the word "upon" strike out "upon conviction shall be fined not less than Ten (\$10.00) Dollars nor more than Two Hundred (\$200.00) Dollars" and substitute in lieu thereof the following: "shall be punished by a fine of not less than \$20.00 or more than \$100.00 upon the first conviction in any court of competent jurisdiction; and upon a second or subsequent conviction in any court of competent jurisdiction he shall be punished by a fine of not less than \$50.00 nor more than \$200.00".

Mr. Tarwater offered the following substitute for the amendment:

Amend House Bill No. 284, as follows: Beginning in line 35, page 1, with the word "together" strike out "together with tolerance for same designed to provide proper protection of the public, and conforming with the provisions of this Act" and substitute in lieu thereof the following: "which shall be designed to protect the public from deception and fraud, by standardizing the method of sale of any commodity, product, or article: Provided, however, that reasonable variations shall be permitted which shall conform to the provisions of (Section 2) Article 1037b, Title 14, Chapter 5 of the Revised Criminal Statutes of 1925".

In line 10, page 2, strike out the word "incorrect" and substitute in lieu thereof, the word "false".

Beginning in line 14, page 2, with the word "upon", strike out "upon conviction shall be fined not less than Ten (\$10.00) Dollars nor more than Two Hundred (\$200.00) Dollars" and substitute in lieu thereof the following: "shall be punished by a fine of not less than \$20.00 or more than \$100.00 upon the first conviction in any court of competent jurisdiction; and upon a second or subsequent conviction in any court of competent jurisdiction he shall be punished by a fine of not less than \$50.00 nor more than \$200.00".

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 284 was then passed to engrossment.

HOUSE BILL NO. 402 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 402, A bill to be entitled "An Act making an appropriation of Twelve Hundred Thirty-seven (\$1,237.00) Dollars to the Crane County Independent School District in order to refund to said District over payment of interest on school bonds made by said District on bonds held by the State Permanent School Fund, and declaring an emergency."

The bill was read second time.

Mr. Bradford offered the following committee amendment to the bill:

Amend House Bill No. 402, Section 1, by striking out the figures "(\$2,137.00)" and insert in lieu thereof the figures "(\$1,237.00)".

The amendment was adopted.

Mr. Bradford offered the following committee amendment to the bill:

Amend House Bill No. 402, Section 1, by striking out the following: "State Treasury not otherwise appropriated" and insert in lieu thereof the following: "The Available School Fund which the Legislature is not prohibited by the State Constitution from appropriating for such purposes as are set out in this bill".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 402 was then passed to engrossment.

HOUSE BILL NO. 475 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 475, A bill to be entitled "An Act providing for the posting of legal notices at some place within the court house to be designated by the Commissioners Court; and making this Act cumulative of all laws on the subject of posting of notices wherever such posting is required by law; and providing for the designation of the place or places where such notices shall be posted."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 480 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 480, A bill to be entitled "An Act amending Subsection (a) of Section 16 of Article 7076, Title 122 of the Revised Civil Statutes of Texas; providing certain regulations regarding the opening of any safety deposit box belonging to the decedent prior to the delivery of the same to the heirs or legal representatives, providing a penalty, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 441 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 441, A bill to be entitled "An Act to amend Article 7064, Revised Civil Statutes of 1925, as amended by House Bill No. 8, Chapter 495, Article IV, Acts of the Third Called Session of the Forty-fourth Legislature of 1936; and to repeal Section 17, Chapter 40, Acts of the Forty-first Legislature, First Called Session, as relates to the payment of taxes; and to amend Article 4769, Revised Civil Statutes of 1925, as

amended by said House Bill 8 above referred to; and to amend Article 7064a, as enacted by House Bill 8, Chapter 495, Article IV, Acts of the Third Called Session of the Forty-fourth Legislature, aforesaid; and amending Article 7064 relating to insurance companies, corporations, reciprocals and other organizations or concerns transacting the business of fire, marine, marine inland, accident, credit, title livestock, fidelity, guaranty, surety, casualty or any other kind or character of insurance business other than life insurance and fraternal benefit associations; . . . etc., and declaring an emergency."

The bill was read second time.

Mr. Hartzog offered the following committee amendment to the bill:

Amend House Bill No. 441, by striking out all after the enacting clause and inserting the following:

Section 1. That Article 7064, Revised Civil Statutes of 1925, as amended by House Bill No. 8, Chapter 495, Article 4, Acts of the Third Called Session of the Forty-fourth Legislature of 1936, be amended so as to hereafter read as follows:

"Article 7064. Insurance Companies. Every insurance corporation, Lloyd's or reciprocals, and any other organization or concern transacting the business of fire, marine, marine inland, accident, credit, title, livestock, fidelity, guaranty, surety, casualty, or any other kind or character of insurance business other than the business of life insurance, within this State, and other than fraternal benefit associations, at the time of filing its annual statement, shall report to the Commissioner of Insurance the gross amount of premiums received in the State upon property, and from persons residing in this State during the preceding year, and each of such insurance carriers shall pay an annual tax upon such gross premium receipts as follows: Shall pay a tax of three and twenty-five hundredths per cent (3.25%), provided, that any such insurance carriers doing two or more kinds of insurance business herein referred to shall pay the tax herein levied upon its gross premiums received from each of said kinds of business; and the gross premium receipts where referred to in this law shall be the total gross amount of premiums received on each and every kind of insurance or risk written,

and the same shall be reported and shown as the premium receipts in the report to the Commissioner of Insurance by the insurance carriers upon the sworn statement of two principal officers of such carriers, less return premiums and dividends paid policyholders and the premium paid for reinsurance in companies authorized to do business in this State. Upon receipt by the Commissioner of the sworn statements, showing the gross premium receipts by such insurance carriers, the Commissioner shall certify to the State Treasurer the amount of taxes due by each insurance carrier, which tax shall be paid to the State Treasurer on or before the first of March following and the Treasurer shall issue his receipt to such carrier, which shall be evidence of the payment of such taxes. No such insurance carrier shall receive a permit to do business in this State until all such taxes are paid. If any such insurance carrier shall have as much as one-fourth ($\frac{1}{4}$) of its entire assets, as shown by said sworn statement, invested in any or all of the following securities: Real estate in this State, bonds of this State or of any county, incorporated city or town of this State, or other property in this State in which by law such insurance carriers may invest their funds, then the annual tax of any such insurance carriers shall be one and one-fourth per cent ($1\frac{1}{4}\%$) of its said gross premium receipts; and if any such insurance carrier shall invest as aforesaid as much as one-half ($\frac{1}{2}$) of its assets, then the annual tax of such insurance carrier shall be five-eighths of one per cent ($\frac{5}{8}$ of 1%) of its gross premium receipts, as above defined. No occupation tax shall be levied on insurance carriers, herein subjected to a gross premium receipt tax, by any county, city, or town. All mutual fraternal benevolent associations, now or hereafter doing business in this State under the lodge system and on the assessment plan, whether organized under the laws of this State or a foreign State or country, are exempt from the provisions of this Article. The taxes aforesaid shall constitute all taxes collectible under the laws of this State against any such insurance carriers, except the Maintenance Tax provided for under Article 4902, and the tax on premiums received under Workmen's Com-

pensation Insurance policies as provided for in Article 4906, Revised Civil Statutes of 1925, and no other tax shall be levied or collected from any insurance carrier by any county, city or town, but this law shall not be construed to prohibit the levy and collection of State, county, and municipal taxes upon the real and personal property of such carrier. Purely co-operative or mutual fire insurance companies carried on by the members thereof solely for the protection of their own property, and not for profit, shall be exempt from provisions of this law; however, foreign assessment life and casualty companies admitted to do business in Texas, under Chapter 5, Title 78, R. S. 1925, shall also pay a tax of three and twenty-five hundredths per cent (3.25%) of their gross premium receipts from Texas business, as such receipts are herein defined. Provided, however, if any such company shall have an amount equal to one-half of the gross amount of assessments, dues, premiums, or other amounts collected from policy holders within this State during the preceding year, as shown by the sworn statement herein required to be filed, invested in any or all of the above-mentioned securities, then the annual tax of such company shall be two per cent (2%) of its said receipts for such preceding period and if such company shall have invested as aforesaid an amount equal to the gross amount of such receipts for the preceding year as shown by said sworn statement, then the annual tax of such company shall be one-half of one per cent ($\frac{1}{2}$ of 1%) of its said receipts."

Section 1a. Section 17, Chapter 40, Acts of the Forty-first Legislature, First Called Session as it relates to payment of taxes, is hereby repealed.

Section 1b. That a new Article to be added to Chapter 2, Title 122, Revised Civil Statutes, to be called Article 7064a to read as follows:

"Article 7064a. Every group of individuals, society, fraternal benefit society, association, or corporation domiciled in the State of Texas transacting the business of life, accident, or life and accident, health and accident insurance for profit, or for mutual benefit or protection, shall at the time of filing its annual statement report to the Commissioner of Insurance the gross amount of premiums received from or upon the lives of persons re-

siding or domiciled in this State during the preceding year and each of such groups of individuals, society, association, or corporation shall pay an annual tax of one-half of one percent ($\frac{1}{2}$ of 1%) of such gross premium receipts, provided, however, that this tax shall not apply to local mutual aid associations. If any such group of individuals, society, associations, or corporation does more than one kind of insurance business, then it shall pay the tax herein levied upon the gross premium for each kind of insurance written; the provision of this Act shall not apply to fraternal insurance organizations or societies that limit their membership to one occupation. The report of the gross premium receipts shall be made upon the sworn statement of two principal officers. Deductions from the gross premium receipts shall be allowed any group of individuals, society, association, or corporation for premiums paid for reinsurance in companies authorized to do business in Texas, and the acquisition cost of all of the first year's premiums, except that on industrial business such companies shall be permitted to deduct one and one-half times the amount of the first year's premiums as acquisition costs. Upon receipt by him of the sworn statements above provided for, the Commissioner shall certify to the State Treasurer the amount of taxes due by each of such group of individuals, society, association or corporation, which tax shall be paid to the State Treasurer on or before the first of March following and the Treasurer shall issue his receipt therefor as evidence of the payment of such taxes. No such group of individuals, association, or corporation shall receive a permit to do business until all such taxes are paid. The taxes aforesaid shall constitute all taxes and licenses fees collectible under the laws of this State against any such insurance organizations, except the fees provided for under Article 3920, Revised Civil Statutes of 1925, as amended by Acts of the Forty-second Legislature of 1931, Chapter 152, Section 1, and no other taxes shall be levied or collected by any county, city or town except State, county and municipal ad valorem taxes upon the real and personal property of such insurance organizations."

Section 1c. That Article 4769 of the Revised Civil Statutes of 1925,

as amended by House Bill 8, Chapter 495, Article 4, Acts of the Third Called Session of the Forty-fourth Legislature, be amended so as to hereafter read as follows:

"Article 4769. Reports Showing Gross Receipts. Each life insurance company not organized under the laws of this State, transacting business in this State, shall annually, on or before the first day of March, make a report to the Commissioner, which report shall be sworn to by either the president or vice president and secretary or treasurer of such company, which shall show the gross amount of premiums collected during the year ending on December 31, preceding, from citizens of this State upon policies of insurance. Each such company shall pay annually a tax equal to three and three-fourths ($3\frac{3}{4}\%$) percent of such gross premium receipts. When the report of the investment in Texas securities, as defined by law, of any such companies as of December 31 of any year shall show that it has invested on said date as much as thirty percent (30%) of its total Texas reserves as defined by law, in promissory notes or other obligations secured by mortgage, deed of trust, or other lien on Texas real estate and/or in loans to residents or citizens of Texas secured by the legal reserve on the respective policies held by such borrowers, the rate of occupation tax shall be reduced to three and one-fourths percent ($3\frac{1}{4}\%$); and when such report shall show that such company has so invested on said date as much as sixty percent (60%) of its total Texas reserve, the rate of such tax shall be reduced to two and nine-tenths percent (2.9%); and when such report shall show that such company has so invested, on said date, as much as seventy-five percent (75%) of its total Texas reserve, the rate of such tax shall be reduced to two and five-tenths percent (2.5%). All such companies shall, in any event, make the investments in Texas securities in proportion to the amount of Texas reserves as required by law. Such taxes shall be for and on account of the business transacted within this State during the calendar year in which such premiums were collected, or for that portion thereof during which the company shall have transacted business in this State. This Act shall not in any manner affect the obligation for the payment of any

taxes that have accrued and that are now due or owing, but the obligation as now provided by law for the payment of such taxes shall continue in full force and effect."

"Whereas: The amendment of Articles 7064 and 4769 and the enactment of Article 7064a by the passage of House Bill No. 8, Chapter 495, Article 4, Acts of the Third Called Session of the Forty-fourth Legislature of 1936, by reason of its wording create confusion and uncertainty as to the meaning thereof and as to what the law now is with reference to taxation and taxes to be collected, and especially with reference to the taxes heretofore provided for by Article 4902 and Article 4906, Revised Civil Statute of 1925, and further, with reference to the deductions to be made by life insurance companies as acquisition costs in the payment of their taxes, grave doubt exists as to whether or not said House Bill above referred to has repealed the tax provided for in Articles 4902 and 4906, and it is vitally important that the same be made clear so that the tax provided for under said Articles may be collected for the maintenance of and paying of expenses of the operation of the Insurance Department, as provided by law, and the time is now at hand when all insurance companies doing business in this State shall make their annual reports and pay their taxes and it is important that the amount due be definitely defined so as to protect the interest of the State in the collection thereof; therefore, all this creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three separate days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Hartzog offered certain amendment to the committee amendment, which was adopted.

Mr. Carssow and Mr. Hoskins offered the following amendment to the committee amendment:

Amend House Bill No. 441, page 4, line 20, by striking out the words "On the Assessment Plan", and substitute the words "Representative Form of Government".

CARSSOW,
HOSKINS.

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 441 was then passed to engrossment.

HOUSE BILL NO. 539 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 539, A bill to be entitled "An Act to amend Article 1063 of the Penal Code of the State of Texas of 1925 so as to include milk bottle cases, and declaring an emergency."

The bill was read second time.

Mr. Holland offered the following committee amendment to the bill:

Amend House Bill No. 539, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Article 1063 of the Penal Code of the State of Texas of 1925 be and the same is hereby amended so as hereafter to read as follows:

"Article 1063: Filling or Not Returning Container.—Whoever shall, other than the lawful owner, for any purpose whatever, fill with milk, cream, butter or ice cream any milk can, milk bottle, milk bottle case, milk jar, butter box, ice cream can or ice cream tub or mutilate or destroy without the consent of the owner of the same, or wilfully refuse to return or deliver to such owner, upon demand, any such milk can, milk bottle, milk bottle case, milk jar, butter box, ice cream can, or ice cream tub branded or stamped with the name or trade mark of such owner, or bearing any private mark in common use by such owner, of from which such brand or stamp or private mark, or marks have been removed, cut off or defaced, shall be fined not less than Ten nor more than One Hundred Dollars."

"Section 2. That Article 1064 of the Penal Code of the State of Texas of 1925 be and the same is hereby amended so as to hereafter read as follows:

"Article 1064: Injuring Milk Containers, Etc.—Whoever shall remove,

cut off, deface or obliterate the stamp or brand or private mark of any owner of any milk can, milk bottle, milk bottle case, milk jar, butter box, ice cream can or ice cream tub, or stamp or place other than brands or stamps or private mark on any such milk bottle, milk jar, milk can, milk bottle case, butter box, ice cream can or ice cream tub, without the written permission of such owner, shall be fined not less than Ten nor more than One Hundred Dollars."

Section 3. That Article 1065 of the Penal Code of the State of Texas of 1925 be and the same is hereby amended so as to hereafter read as follows:

"Article 1065: Ownership of Milk Containers, Etc.—Any person, firm or corporation, or joint stock association owning or using milk cans, milk bottles, milk bottle cases, milk jars, butter boxes, ice cream cans, or ice cream tubs in his, her or their name or names, or private mark or marks in common use branded or stamped or placed on the same shall be considered the owner thereof."

Section 4. It is hereby declared to be the intention of the Legislature that the provisions of this Act are severable and divisible and that if any section or part thereof is declared invalid by a court of competent jurisdiction, only such sections or parts of sections as are declared invalid shall be affected by such adjudication, and all other sections or parts of sections shall remain in full force and effect.

Section 5. The fact that there is now no law in this State conforming with the above amendment, and the fact that the existence of an economic depression has caused a shortage in milk bottle cases creates an emergency and an imperative public necessity demanding that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and that this Act take effect and be in force from and after its final passage, and it is so enacted.

HOLLAND,
WOOD.

The amendment was adopted.

Mr. Holland offered the following committee amendment to the bill.

Amend House Bill No. 539, by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL

To Be Entitled

An Act to amend Articles 1063, 1064, and 1065 of the Penal Code of the State of Texas of 1925 so as to include milk bottle cases; providing a constitutional savings clause, and declaring an emergency."

The amendment was adopted.

House Bill No. 539 was then passed to engrossment.

HOUSE BILL NO. 553 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 553, A bill to be entitled "An Act amending Article 5453, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 588 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 588, A bill to be entitled "An Act validating all cities of less than five thousand heretofore incorporated or attempted in good faith to be incorporated under the General Laws of the State of Texas under the commission form of government, validating all elections, election orders, elections proceedings, affidavits and orders of incorporation and all governmental proceedings performed in good faith by the governing bodies of such cities or towns since their incorporation, or attempted incorporation, providing the provisions hereof shall affect no city or town now in litigation, and declaring an emergency."

The bill was read second time.

Mr. Wood offered the following committee amendment to the bill:

Amend House Bill No. 588, by striking the whole of Section 1 thereof and inserting in lieu thereof the following:

"All cities and towns in Texas of 5,000 inhabitants or less according to the last preceding Federal Census, whose citizens in an election held for that purpose have by a majority vote, voted to incorporate or attempted in good faith to be incorporated under

the general laws of Texas under the commission form of government, and which have, in good faith, functioned as incorporated cities and towns since the date of such incorporations or attempted incorporations, are hereby in all respects validated as of the date of such incorporation or attempted incorporation, and the incorporation of such cities and towns shall not be held invalid on account of irregularities in the petition for election, order of election, notices of election, affidavits of posting or publishing of election, return of an election order, declaring the result of election, and/or other incorporation proceedings."

HARTZOG.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 588 was then passed to engrossment.

HOUSE BILL NO. 632 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 632, A bill to be entitled "An Act providing for the codifying and publishing of all city ordinances of every incorporated city, town, and village and every city, town and village operating under a home rule charter, defining the term codifying, providing that such ordinances when codified shall be accessible to the public, providing for a penalty for failure to keep such ordinances accessible to the public, providing for the invalidating of all ordinances that are not codified, repealing all laws and parts of law in conflict herewith, and containing a saving clause."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 634 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 634, A bill to be entitled "An Act to amend Subdivision 38, of Article 19, Title 8, Revised Statutes of 1925, as amended by Act of the Forty-first Legislature at its Regular Session, page 125, Chapter 60, Sections 1, 2 and 3, and providing for chang-

ing and prescribing terms and times for holding the Courts in the Counties composing the 38th Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of Court in the several counties as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under this Act; to repeal all laws and parts of laws in conflict herewith; and providing the time this Act shall take effect, and declaring an emergency."

The bill was read second time.

Mr. Monkhouse offered the following amendment to the bill:

Amend House Bill No. 634, by striking out all of Section One and adding in lieu thereof the following:

"Section 1. That subdivision 38, of Article 199, Title 8, Revised Statutes of 1925, as amended by Act of the Forty-first Legislature at its Regular Session, page 125, Chapter 60, Sections 1, 2 and 3, be and the same is hereby amended so as to hereafter read, as follows:

"38. Medina, Uvalde, Kendall, Kerr, Bandera, Zavala and Real.

Medina County: On the second Monday after the first Monday in January, and on the twenty-fourth Monday after the first Monday in January, and may continue three weeks;

Uvalde County: On the fifth Monday after the first Monday in January, and may continue four weeks; on the twenty-first Monday after the first Monday in January, and may continue three weeks; and on the fifth Monday after the first Monday in September, and may continue four weeks;

Kendall County: On the thirteenth Monday after the first Monday in January, and on the ninth Monday after the first Monday in September, and may continue two weeks;

Kerr County: On the ninth Monday after the first Monday in January, and may continue four weeks; and on the second Monday after the first Monday in September, and may continue three weeks;

Bandera County: On the fifteenth Monday after the first Monday in January, and on the eleventh Monday after the first Monday in September, and may continue two weeks;

Zavala County: On the first Monday in January, on the seventeenth Monday after the first Monday in January, and on the first Monday in September, and may continue two weeks;

Real County: On the nineteenth Monday after the first Monday in January, and on the thirteenth Monday after the first Monday in September, and may continue two weeks."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 634 was then passed to engrossment.

HOUSE BILL NO. 710 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 710, A bill to be entitled "An Act designated as Article 307, Revised Civil Statutes, providing for exemption of bar examination applicants."

The bill was read second time.

Mr. Bell offered the following committee amendment to the bill:

Amend House Bill No. 710, by striking out all below the enacting clause and inserting in lieu thereof the following:

Be It Enacted by the Legislature of the State of Texas:

Section 1. That House Bill No. 201, Chapter 176, Section 2, page 438, Acts of the Regular Session, Forty-fourth Legislature, be and the same is hereby amended so as to hereafter read as follows:

"Section 2. This Act shall not go into effect until July 1, 1937, nor shall it be construed to apply to those students who were enrolled in approved law schools within Article 307 R. C. S., 1925, on October 1, 1934, provided such students graduate from the schools they were originally enrolled in on or prior to September 1, 1939."

Section 2. The fact that students who entered the University of Texas and other approved law schools in 1934 or prior thereto with the expectancy of taking advantage of Article 307 R. C. S., 1925, have been discriminated against by the enactment of a law that they shall not

thereafter be exempt from the State Bar Examination, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and that this Act shall take effect and be in force from and after its passage and said rule is hereby suspended and it is so enacted.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 710 was then passed to engrossment.

HOUSE BILL NO. 725 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 725, A bill to be entitled "An Act to amend Section 14 of Chapter 282, Senate Bill No. 82, Acts of the Regular Session, Forty-first Legislature; to amend Sections 4, 5, 7, 8 and 18, Chapter 282, Senate Bill No. 82, Acts of the Regular Session, Forty-first Legislature as amended by Chapter 174, Senate Bill No. 279, Acts of the Regular Session of the Forty-second Legislature; . . . etc., and declaring an emergency."

The bill was read second time.

Mr. Thornberry offered the following committee amendment to the bill:

Amend House Bill No. 725, by striking out in Section 1, page 2, line 8, the word "members" and substitute in place thereof the word "numbers."

The amendment was adopted.

Mr. Thornberry offered the following committee amendment to the bill:

Amend House Bill No. 725, by striking out on page 4 in Section 5, line 23, the words "and shall provide that if" and substitute therefor the word "unless", and in line 25 by placing after the words "the primary term" and before the words "said lease" the word "and".

The amendment was adopted.

Mr. Thornberry offered the following committee amendment to the bill:

Amend House Bill No. 725, by striking out in Section 6, page 5,

line 30, the word "rentals" and substitute therefor the word "payments."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 725 was then passed to engrossment.

HOUSE BILL NO. 774 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 774, A bill to be entitled "An Act amending certain sections of Senate Bill No. 146 passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to-wit: Sections 5, 8, 11, 12, 15, 16, 17, and 23; providing for the Public Safety Commission to appoint a Director and an Assistant Director whose salaries shall be fixed by the Legislature; providing for the Director with the advice and consent of the Commission to appoint Chiefs of the several bureaus; providing for Texas Ranger captains, headquarters sergeant, and privates; providing that the Texas Highway Patrol Division shall consist of the Chief Patrol Officer, captains, sergeants, and privates as may be authorized by the Legislature, and such administrative and clerical help as determined by the Commission; providing for the Director with the advice and consent of the Commission, to name the Chief of the Bureau of Communications; . . . etc., and creating an emergency."

The bill was read second time.

Mr. Hardin offered the following committee amendment to the bill:

"Amend House Bill No. 774, by striking out Section 23."

The amendment was adopted.

House Bill No. 774 was then passed to engrossment.

HOUSE BILL NO. 777 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 777, A bill to be entitled "An Act amending Article 7331, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, paragraph 8,

Acts of the Forty-first Legislature, Fourth Called Session, by adding thereto a section to be known as Article 7331a, providing that the Tax Assessor-Collector in each county shall be entitled to a fee of \$1.00 for preparing and issuing redemption receipts and certificates; reporting and crediting redemptions; posting Comptroller's redemption numbers on the delinquent tax record or annual delinquent list; mailing certificates of redemption to taxpayers after approval by the Comptroller; and for issuing receipts or certificates of redemption for property shown on the annual delinquent list for each of the years 1930, 1931, 1932, 1933, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 785 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 785, A bill to be entitled "An Act amending Section 10, Acts of 1935, Second Called Session of the Forty-fourth Legislature, page 1800, Chapter 467, House Bill No. 77, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 806 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 806, A bill to be entitled "An Act declaring the Collared Peccary or Javelina a game animal; providing an open season for taking same and the number that may be taken or possessed; prohibiting the sale of any Peccary or part of such animal; providing a suitable penalty, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

RELATIVE TO HOUSE BILL NO. 600

Mr. Wood asked unanimous consent of the House, that the word "rented" in the amendment offered by himself to House Bill No. 600, be changed to the word "granted" in line one of said amendment.

There was no objection offered, and it was so ordered.

HOUSE BILL NO. 291 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 291, A bill to be entitled "An Act to amend Chapter 83, Senate Bill 179, of the General Laws passed by the Forty-first Legislature of the State of Texas at its Second Called Session, by amending Section 4 of said Act by adding, at the end of such Section the following: 'Provided, that any person who has to his credit in any standard college or university of Texas as much as six (6) hours of Government, shall be deemed to have met the requirements of this Section', and declaring an emergency."

The bill was read second time.

Mr. Cagle offered the following committee amendment to the bill:

Strike out all below the enacting clause of House Bill No. 291 and substitute in lieu thereof the following:

Section 1. That Section 4 of Chapter 83, Senate Bill 179, of the General Laws passed by the Forty-first Legislature of Texas at its Second Called Session, shall read hereafter as follows:

"Section 4. No person hereafter shall be certified to teach in the public schools of the State of Texas until he has secured credit for the course in both Federal and State Constitutions of the grade of instruction upon which he is applying for the certificate, that is either of the sub-college or of the college work; or in lieu thereof shall have passed an examination set by the State Superintendent of Public Instruction on the Constitution of the United States and Texas; provided, that any person who has to his credit in any standard college or university of Texas as much as six (6) hours of American Government shall be deemed to have met the requirements of this section."

Section 2. The fact that many students who are well trained in political science and citizenship cannot meet the technical requirements of the law as to the course in the Constitutions of the United States and of Texas, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be

read on three (3) several days in each House be suspended, and said Rule is hereby suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Mr. Cagle offered the following committee amendment to the bill:

Strike out all above enacting clause of House Bill No. 291 and insert the following:

H. B. No. 291.

A BILL

To Be Entitled

An Act to amend Chapter 83, Senate Bill No. 179, of the General Laws passed by the Forty-first Legislature of the State of Texas at its Second Called Session, by amending Section 4 of said Act by adding, at the end of such Section the following:

"Provided, that any person who has to his credit in any standard college or university of Texas as much as six (6) hours of American Government, shall be deemed to have met the requirements of this section," and declaring an emergency.

The amendment was adopted.

House Bill No. 291 was then passed to engrossment.

HOUSE JOINT RESOLUTION NO. 23 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 23, Proposing an amendment to the Constitution of the State of Texas to be known as Article VIII, Section 20, providing that ad valorem taxes shall be assessed and levied in such way as to permit the payment during the months of October, November and December of the year for which such taxes are assessed, of certain percentages of the amount that such taxes would be if paid after the expiration of the year and providing that the Legislature shall never remit any interest or penalties; providing for an election on the question of adoption or revocation and making an appropriation therefor; providing for the proclamation and publication thereof; prescribing the form of ballot.

The resolution was read second time.

Mr. Sharpe offered the following amendment to the resolution:

Amend the caption to House Joint Resolution No. 23, so as to hereafter read, as follows:

"House Joint Resolution proposing an amendment to the Constitution of the State of Texas to be known as Article VIII, Section 20 providing that ad valorem taxes shall be assessed and levied in such way as to permit the payment during the months of October, November, and December of the year for which such taxes are assessed, of certain percentage of the amount that such taxes would be if paid after the expiration of the year; providing for an election on the question of adoption or rejection and making an appropriation therefor; providing for the proclamation and publication thereof; prescribing the form of ballot."

The amendment was adopted.

House Joint Resolution No. 23 was then passed by the following vote:

Yeas—124

Alexander	Gibson
Alsup	Hamilton
Amos	Hankamer
Baker	Hanna
Beckworth	Harbin
Bell	Hardin
Blankenship	Harper
Boethel	Harrell
Bond	Harris of Archer
Boyer	Harris of Dallas
Bradbury	Harris of Dickens
Bradford	Hartzog
Bridgers	Heflin
Brown	Holland
Burton	Hoskins
Cagle	Huddleston
Callan	Hyder
Carssow	Jackson
Cauthorn	James
Celaya	Johnson of Ellis
Cleveland	Jones of Angelina
Colquitt	Jones of Falls
Davis of Haskell	Jones of Wise
Davison of Fisher	Keefe
Davison	Keith
of Eastland	Kelt
Deglandon	Kenyon
Derden	King
Dickison	Knetsch
Dollins	Langdon
Farmer	Lankford
Felty	Lanning
Fielden	Leath
Fox	Leonard
Fuchs	Leyendecker

Little	Ross
Loggins	Russell
London	Rutta
Lucas	Schuenemann
Mann	Settle
Mauritz	Sewell
Mays	Sharpe
McConnell	Shell
McDonald	Simpson
McKee	Skaggs
Metcalf	Smith of Hopkins
Moffett	Stevenson
Monkhouse	Stinson
Morse	Talbert
Newton	Tarwater
Nicholson	Tennant
Palmer	Tennyson
Patterson of Mills	Thornberry
Pope	Thornton
Powell	Vale
Prescott	Waggoner
Quinn	Walker
Ragsdale	Weldon
Reed of Bowie	Westbrook
Reed of Dallas	Winfree
Rhodes	Wood
Riddle	Worley
Roark	

Absent

Bates	McCracken
Broadfoot	McFarland
Cathey	McKinney
Davis of Jasper	Morris
Dean	Oliver
England	Patterson
Graves	of Travis
Herzik	Reader
Hull	Smith
Johnson	of Matagorda
of Tarrant	Smith of Tarrant
Jones of Atascosa	Stocks

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 23 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 23, A bill to be entitled "An Act to amend S. B. No. 29, Chapter 13, Sec. 8, Fourth Called Session, Forty-first Legislature, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—128

Alexander	Baker
Alsup	Beckworth
Amos	Bell

Blankenship	Lankford
Boethel	Lanning
Bond	Leath
Boyer	Leyendecker
Bradbury	Little
Bradford	Loggins
Bridgers	London
Broadfoot	Lucas
Burton	Mann
Cagle	Mauritz
Callan	Mays
Carssow	McConnell
Cathey	McCracken
Cauthorn	McDonald
Celaya	McFarland
Cleveland	McKee
Colquitt	Metcalf
Davis of Haskell	Moffett
Davison of Fisher	Monkhouse
Davisson	Morris
of Eastland	Morse
Deglandon	Newton
Derden	Nicholson
Dickison	Palmer
Dollins	Patterson of Mills
England	Pope
Farmer	Powell
Felty	Prescott
Fielden	Quinn
Fox	Ragsdale
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Hamilton	Rhodes
Hankamer	Riddle
Hanna	Roark
Harbin	Ross
Hardin	Russell
Harper	Rutta
Harrell	Schuenemann
Harris of Archer	Settle
Harris of Dallas	Sewell
Harris of Dickens	Sharpe
Hartzog	Shell
Heflin	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith of Tarrant
Huddleston	Stinson
Hyder	Talbert
Jackson	Tarwater
James	Tennant
Johnson of Ellis	Tennyson
Jones of Angelina	Thornberry
Jones of Falls	Thornton
Jones of Wise	Vale
Keefe	Waggoner
Keith	Walker
Kelt	Westbrook
Kenyon	Winfree
King	Wood
Knetsch	Worley
Langdon	

Absent

Bates

Brown

Davis of Jasper	Oliver
Dean	Patterson
Graves	of Travis
Hull	Reader
Johnson	Smith
of Tarrant	of Matagorda
Jones of Atascosa	Stevenson
Leonard	Stocks
McKinney	Weldon

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 26 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 26, A bill to be entitled "An Act permitting abutting property owners along the public roads and highways of this State to cut any grass or grasses, and to cut or destroy any obnoxious weed and/or weeds growing along the right-of-way of any public road or highway of this State."

The bill was read third time, and was passed by the following vote:

Yeas—125

Alexander	Felty
Alsup	Fielden
Baker	Fox
Bates	Fuchs
Beckworth	Gibson
Bell	Hamilton
Blankenship	Hankamer
Boethel	Hanna
Bond	Harbin
Boyer	Hardin
Bradbury	Harper
Bradford	Harrell
Broadfoot	Harris of Archer
Brown	Harris of Dickens
Burton	Hartzog
Cagle	Heflin
Callan	Herzik
Carssow	Holland
Cathey	Huddleston
Cauthorn	Hyder
Celaya	Jackson
Cleveland	James
Colquitt	Johnson of Ellis
Davis of Haskell	Jones of Angelina
Davison of Fisher	Jones of Falls
Davisson	Jones of Wise
of Eastland	Keefe
Deglandon	Keith
Derden	Kelt
Dickison	Kenyon
England	King
Farmer	Knetsch

Langdon	Reed of Bowie
Lankford	Reed of Dallas
Lanning	Rhodes
Leath	Riddle
Leonard	Roark
Leyendecker	Ross
Little	Russell
Loggins	Rutta
London	Schuenemann
Lucas	Settle
Mann	Sewell
Mauritz	Sharpe
Mays	Shell
McConnell	Simpson
McCracken	Skaggs
McDonald	Smith of Hopkins
McFarland	Stinson
McKee	Talbert
Metcalfe	Tarwater
Moffett	Tennant
Monkhouse	Tennyson
Morris	Thornberry
Morse	Thornton
Newton	Vale
Nicholson	Waggoner
Palmer	Walker
Pope	Weldon
Powell	Westbrook
Prescott	Winfree
Quinn	Wood
Ragsdale	Worley

Absent

Amos	McKinney
Bridgers	Oliver
Davis of Jasper	Patterson of Mills
Dean	Patterson
Dollins	of Travis
Graves	Reader
Harris of Dallas	Smith
Hoskins	of Matagorda
Hull	Smith of Tarrant
Johnson	Stevenson
of Tarrant	Stocks
Jones of Atascosa	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 55 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 55, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes, so as to provide for the payment of salaries of the County Board of Trustees out of the State and County Available School Fund, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 97 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 97, A bill to be entitled "An Act amending Article 3810 of the Revised Civil Statutes of the State of Texas, 1925, providing for notices of sale of real estate under deeds of trust, manner of giving notice, contents of same, affidavit of mailing notice, place of sale; providing for setting aside sale, repealing all laws in conflict, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—130

Alexander	Hardin
Alsup	Harper
Amos	Harrell
Baker	Harris of Archer
Bates	Harris of Dallas
Beckworth	Harris of Dickens
Bell	Hartzog
Blankenship	Heflin
Boethel	Herzik
Bond	Holland
Boyer	Hoskins
Bradbury	Huddleston
Bradford	Hyder
Bridgers	Jackson
Broadfoot	James
Brown	Johnson of Ellis
Burton	Jones of Angelina
Cagle	Jones of Falls
Callan	Jones of Wise
Carssow	Keefe
Cathey	Keith
Cauthorn	Kelt
Celaya	King
Cleveland	Knetsch
Colquitt	Langdon
Davis of Haskell	Lankford
Davison of Fisher	Lanning
Davisson	Leath
of Eastland	Leonard
Deglandon	Leyendecker
Derden	Little
Dickison	Loggins
Dollins	London
England	Lucas
Farmer	Mann
Felty	Mauritz
Fielden	Mays
Fox	McConnell
Fuchs	McCracken
Gibson	McDonald
Hamilton	McFarland
Hanna	McKee
Harbin	Metcalfe

Moffett	Sewell
Monkhouse	Sharpe
Morris	Shell
Morse	Simpson
Newton	Skaggs
Nicholson	Smith of Hopkins
Palmer	Smith of Tarrant
Patterson of Mills	Stinson
Pope	Talbert
Powell	Tarwater
Prescott	Tennant
Quinn	Tennyson
Ragsdale	Thornberry
Reed of Bowie	Thornton
Reed of Dallas	Vale
Rhodes	Waggoner
Riddle	Walker
Roark	Weldon
Ross	Westbrook
Russell	Winfree
Rutta	Wood
Schuenemann	Worley
Settle	

Absent

Davis of Jasper	McKinney
Dean	Oliver
Graves	Patterson
Hankamer	of Travis
Hull	Reader
Johnson	Smith
of Tarrant	of Matagorda
Jones of Atascosa	Stevenson
Kenyon	Stocks

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 146 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 146, A bill to be entitled "An Act amending Article 5142 of the Revised Civil Statutes of 1925, as amended by the Acts of 1927, Fortieth Legislature, Chapter 228; providing for juvenile officers; providing for their selection, compensation, expenses, and prescribing their duties; providing for their assistants; providing all things necessary and incident to the main purpose of this Act, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—124

Alexander	Bates
Alsup	Beckworth
Amos	Blankenship
Baker	Boethel

Bond	Leonard
Boyer	Leyendecker
Bradbury	Little
Bradford	Loggins
Bridgers	London
Broadfoot	Lucas
Burton	Mann
Cagle	Mauritz
Callan	Mays
Carsow	McConnell
Cathey	McCracken
Cauthorn	McDonald
Celaya	McFarland
Cleveland	McKee
Colquitt	Metcalfe
Davis of Haskell	Moffett
Davison of Fisher	Monkhouse
Davisson	Morris
of Eastland	Morse
Deglandon	Newton
Dickison	Nicholson
Dollins	Palmer
England	Pope
Farmer	Powell
Felty	Prescott
Fielden	Quinn
Fuchs	Ragsdale
Gibson	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Rhodes
Hanna	Riddle
Harbin	Roark
Hardin	Ross
Harper	Russell
Harrell	Rutta
Harris of Dallas	Settle
Harris of Dickens	Schuenemann
Hartzog	Sewell
Herzik	Sharpe
Holland	Shell
Hoskins	Simpson
Huddleston	Skaggs
Hyder	Smith of Hopkins
Jackson	Smith of Tarrant
James	Stinson
Johnson of Ellis	Talbert
Jones of Angelina	Tarwater
Jones of Falls	Tennant
Jones of Wise	Tennyson
Keefe	Thornton
Keith	Vale
Kelt	Waggoner
Kenyon	Walker
King	Weldon
Knetsch	Westbrook
Langdon	Winfree
Lankford	Wood
Lanning	Worley
Leath	

Absent

Bell	Derden
Brown	Fox
Davis of Jasper	Graves
Dean	Harris of Archer

Heflin	Patterson
Hull	of Travis
Johnson	Reader
of Tarrant	Smith
Jones of Atascosa	of Matagorda
McKinney	Stevenson
Oliver	Stocks
Patterson of Mills	Thornberry

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 377 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 377, A bill to be entitled "An Act amending Section 6 of Article III of House Bill No. 8, Acts, Forty-fourth Legislature, Third Called Session, exempting from taxation any admission, all proceeds of which inure exclusively to the benefit of State, religious, educational or charitable institutions, organizations, or societies, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—124

Alexander	England
Alsup	Farmer
Amos	Felty
Baker	Fielden
Bates	Fox
Beckworth	Fuchs
Bell	Gibson
Blankenship	Hamilton
Boethel	Hankamer
Bond	Hanna
Boyer	Harbin
Bradbury	Hardin
Bradford	Harper
Bridgers	Harrell
Broadfoot	Harris of Archer
Burton	Harris of Dallas
Cagle	Harris of Dickens
Callan	Hartzog
Carssow	Heflin
Cathey	Holland
Cauthorn	Hoskins
Celaya	Huddleston
Cleveland	Hyder
Colquitt	James
Davis of Haskell	Johnson of Ellis
Davisson	Jones of Angelina
of Eastland	Jones of Falls
Deglandon	Jones of Wise
Derden	Keefe
Dickison	Keith
Dollins	Kelt

King	Ragsdale
Knetsch	Reader
Langdon	Reed of Bowie
Lankford	Reed of Dallas
Lanning	Rhodes
Leath	Riddle
Leonard	Roark
Leyendecker	Russell
Little	Rutta
Loggins	Schuenemann
London	Settle
Lucas	Sewell
Mann	Sharpe
Mauritz	Shell
Mays	Simpson
McConnell	Skaggs
McCracken	Smith of Hopkins
McDonald	Smith of Tarrant
McFarland	Stinson
McKee	Talbert
Metcalfe	Tarwater
Moffett	Tennant
Monkhouse	Thornberry
Morris	Thornton
Morse	Vale
Newton	Waggoner
Nicholson	Walker
Palmer	Weldon
Pope	Westbrook
Powell	Wood
Prescott	Worley
Quinn	

Nays—1

Ross

Absent

Brown	McKinney
Davis of Jasper	Oliver
Davison of Fisher	Patterson of Mills
Dean	Patterson
Graves	of Travis
Herzik	Smith
Hull	of Matagorda
Jackson	Stevenson
Johnson	Stocks
of Tarrant	Tennyson
Jones of Atascosa	Winfree
Kenyon	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 404 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 404, A bill to be entitled "An Act granting to C. A. Gindratt and wife, their heirs and assigns, permission to bring suit against the State of Texas and the State High-

way Department in the District Court of Leon County, Texas, for damages alleged to have been sustained to certain real property of the said C. A. Gindratt and wife, by reason of the construction of State Highway Number 75; providing that such suit may be filed within two (2) years after the effective date of this Act; providing for the method of serving process and for procedure governing the trial and determination of such suit; making an appropriation, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 483 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 483, A bill to be entitled "An Act to amend Section 7, of Chapter 62, pages 131-133, of the General and Special Laws of the State of Texas passed by the Forty-third Legislature at its Second Called Session, 1934, of the State of Texas; to further define a nuisance and provide for the punishment of certain persons and peace officers and organizations who knowingly permit and accept receipts from any contest enumerated and referred to in said Chapter 62, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—121

Alexander	Deglandon
Alsup	Derden
Amos	Dickison
Bates	Dollins
Beckworth	Farmer
Boethel	Felty
Bond	Fladen
Boyer	Fox
Bradbury	Fuchs
Bradford	Gibson
Bridgers	Hamilton
Broadfoot	Hankamer
Burton	Hanna
Callan	Harbin
Carssow	Hardin
Cathey	Harper
Cauthorn	Harrell
Celaya	Harris of Dallas
Cleveland	Harris of Dickens
Davis of Haskell	Hartzog
Davison of Fisher	Heflin
Davison	Herzik
of Eastland	Holland

Hoskins
Huddleston
Hyder
Jackson
James
Johnson of Ellis
Jones of Angelina
Jones of Falls
Jones of Wise
Keefe
Keith
Kelt
Kenyon
King
Knetsch
Langdon
Lanning
Leath
Leonard
Little
Loggins
London
Lucas
Mann
Mauritz
Mays
McConnell
McCracken
McDonald
McFarland
McKee
Metcalf
Moffett
Monkhouse
Morris
Morse
Newton
Nicholson

Palmer
Patterson of Mills
Pope
Powell
Prescott
Quinn
Ragsdale
Reed of Bowie
Reed of Dallas
Rhodes
Riddle
Roark
Ross
Russell
Rutta
Schuenemann
Settle
Sewell
Sharpe
Shell
Simpson
Skaggs
Smith of Hopkins
Smith of Tarrant
Stinson
Talbert
Tarwater
Tennant
Tennyson
Thornberry
Thornton
Vale
Walker
Weldon
Westbrook
Winfree
Wood
Worley

Absent

Baker	Jones of Atascosa
Bell	Lankford
Blankenship	Leyendecker
Brown	McKinney
Cagle	Oliver
Colquitt	Patterson
Davis of Jasper	of Travis
Dean	Reader
England	Smith
Graves	of Matagorda
Harris of Archer	Stevenson
Hull	Stocks
Johnson	Waggoner
of Tarrant	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 499 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 499, A bill to be entitled

"An Act amending Article I, Chapter 467, Section 24 of the Acts of the Forty-fourth Legislature, 1935, Second Called Session, so as to extend the provisions thereof to authorize cities to prohibit by their charters, the sale of liquors and beer in their residence sections, or any other part thereof and that same shall be valid and remain in force and effect until such time as the charter provisions may be repealed or amended; and by adding thereto a section to be known as Section 24b; providing a penalty against all persons who shall sell liquors or beer in districts in cities in which the same has been prohibited; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—127

Alexander	Hankamer
Alsup	Hanna
Amos	Harbin
Baker	Hardin
Bates	Harper
Beckworth	Harrell
Blankenship	Harris of Archer
Boethel	Harris of Dallas
Bond	Harris of Dickens
Boyer	Hartzog
Bradbury	Heflin
Bradford	Herzik
Bridgers	Holland
Broadfoot	Hoskins
Brown	Huddleston
Burton	Hyder
Cagle	Jackson
Callan	James
Carssow	Johnson of Ellis
Cathey	Jones of Angelina
Cauthorn	Jones of Falls
Celaya	Jones of Wise
Cleveland	Keefe
Colquitt	Keith
Davis of Haskell	Kelt
Davison of Fisher	King
Davisson	Knetsch
of Eastland	Langdon
Deglandon	Lankford
Derden	Lanning
Dickison	Leath
Dollins	Leonard
England	Leyendecker
Farmer	Little
Felty	Loggins
Fielden	London
Fox	Lucas
Fuchs	Mann
Gibson	Mauritz
Hamilton	Mays

McConnell	Rutta
McCracken	Schuenemann
McDonald	Settle
McFarland	Sewell
McKee	Sharpe
Metcalfe	Shell
Moffett	Simpson
Monkhouse	Skaggs
Morris	Smith of Hopkins
Morse	Smith of Tarrant
Newton	Stinson
Nicholson	Talbert
Palmer	Tarwater
Pope	Tennant
Powell	Tennyson
Prescott	Thornberry
Quinn	Thornton
Ragsdale	Vale
Reed of Bowie	Walker
Reed of Dallas	Weldon
Rhodes	Westbrook
Riddle	Winfree
Roark	Wood
Russell	Worley

Nays—1

Ross

Absent

Bell	Oliver
Davis of Jasper	Patterson of Mills
Dean	Patterson
Graves	of Travis
Hull	Reader
Johnson	Smith
of Tarrant	of Matagorda
Jones of Atascosa	Stevenson
Kenyon	Stocks
McKinney	Waggoner

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 526 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 526, A bill to be entitled "An Act amending Section 1 of House Bill 247, Chapter 44, Acts of the Regular Session of the Forty-third Legislature as amended by Chapter 240, Acts of the Regular Session of the Forty-fourth Legislature; providing that offenses committed or prosecutions begun under pre-existing laws may be conducted under the law as it existed at the time the offense was committed; providing that if any part of this Act shall be held invalid or unconstitutional, such decision shall not affect the validity of the remain-

ing portions thereof, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—130

Alexander	Johnson of Ellis
Alsup	Jones of Angelina
Amos	Jones of Falls
Baker	Jones of Wise
Bates	Keefe
Beckworth	Keith
Blankenship	Kelt
Boethel	Kenyon
Bond	King
Boyer	Knetsch
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Broadfoot	Leath
Brown	Leonard
Burton	Leyendecker
Cagle	Little
Callan	Loggins
Carssow	London
Cathey	Lucas
Cauthorn	Mann
Celaya	Mauritz
Cleveland	Mays
Colquitt	McConnell
Davis of Haskell	McCracken
Davison of Fisher	McDonald
Davisson	McFarland
of Eastland	McKee
Deglandon	Metcalfe
Derden	Moffett
Dickison	Monkhouse
Dollins	Morris
England	Morse
Farmer	Newton
Felty	Nicholson
Fielden	Palmer
Fox	Pope
Fuchs	Powell
Gibson	Prescott
Hamilton	Quinn
Hankamer	Ragsdale
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Riddle
Harrell	Roark
Harris of Archer	Ross
Harris of Dallas	Russell
Harris of Dickens	Rutta
Hartzog	Schuenemann
Heflin	Settle
Herzik	Sewell
Holland	Sharpe
Hoskins	Shell
Huddleston	Simpson
Hyder	Skaggs
Jackson	Smith of Hopkins
James	Smith of Tarrant

Stinson	Waggoner
Talbert	Walker
Tarwater	Weldon
Tennant	Westbrook
Tennyson	Winfree
Thornberry	Wood
Thornton	Worley
Vale	

Absent

Bell	Oliver
Davis of Jasper	Patterson of Mills
Dean	Patterson
Graves	of Travis
Hull	Reader
Johnson	Smith
of Tarrant	of Matagorda
Jones of Atascosa	Stevenson
McKinney	Stocks

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 527 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 527, A bill to be entitled "An Act amending Article 1104 of the Penal Code as amended by the Regular Session of the Forty-fourth Legislature, Chapter 154, General and Special Laws of 1935, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—123

Alexander	Davison of Fisher
Alsup	Davisson
Amos	of Eastland
Bates	Deglandon
Beckworth	Derden
Blankenship	Dickison
Boethel	Dollins
Bond	England
Boyer	Farmer
Bradbury	Felty
Bradford	Fielden
Bridgers	Fox
Broadfoot	Fuchs
Brown	Gibson
Burton	Hamilton
Cagle	Hankamer
Callan	Hanna
Carssow	Harbin
Cathey	Hardin
Cauthorn	Harper
Celaya	Harrell
Cleveland	Harris of Dallas
Colquitt	Harris of Dickens
Davis of Haskell	Hartzog

Heflin	Nicholson
Holland	Pope
Huddleston	Powell
Hyder	Prescott
Jackson	Quinn
James	Ragsdale
Johnson of Ellis	Reed of Bowie
Jones of Angelina	Reed of Dallas
Jones of Falls	Rhodes
Jones of Wise	Riddle
Keefe	Roark
Keith	Ross
Kelt	Russell
King	Rutta
Knetsch	Settle
Langdon	Schuenemann
Lankford	Sewell
Lanning	Sharpe
Leath	Shell
Leonard	Simpson
Leyendecker	Skaggs
Little	Smith of Hopkins
Loggins	Smith of Tarrant
London	Stinson
Lucas	Talbert
Mann	Tarwater
Mauritz	Tennant
Mays	Tennyson
McConnell	Thornberry
McCracken	Thornton
McDonald	Vale
McKee	Waggoner
Metcalfe	Walker
Moffett	Weldon
Monkhouse	Westbrook
Morris	Winfree
Morse	Wood
Newton	Worley

Absent

Baker	McFarland
Bell	McKinney
Davis of Jasper	Oliver
Dean	Palmer
Graves	Patterson of Mills
Harris of Archer	Patterson
Herzik	of Travis
Hoskins	Reader
Hull	Smith
Johnson	of Matagorda
of Tarrant	Stevenson
Jones of Atascosa	Stocks
Kenyon	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL, NO. 561 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 561, A bill to be entitled "An Act to define and fix the limits

and jurisdiction of the Nineteenth, Fifty-fourth and Seventy-fourth District Courts and to provide for the terms thereof and the procedure to be followed therein in certain particulars; to provide for the judges of said Courts to exchange benches, authorizing either of said judges to sit in either of said Courts; authorizing the transfer of a case from either of said Courts to another one thereof; to provide for the filing of pleadings in said Courts in duplicate and for the safe keeping and withdrawal of the original copy of the pleading so filed upon proper showing; to provide for and limit the filing of motions and amended motions for new trial in said Courts; and providing that if any part of this Act is held unconstitutional, the valid portion of the same was intended to be enacted."

The bill was read third time, and was passed.

HOUSE BILL NO. 625 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 625, A bill to be entitled "An Act amending Article 5449, 1925 Civil Statutes, as amended by Chapter 291, of the General Laws of the Regular Session of the Forty-fourth Legislature, so as to provide that when any abstract of judgment has been recorded it shall, from the date of such record and index, operate as a lien upon all of the real estate of the defendant situated in the county where such record and index are made and upon all real estate which defendant may thereafter acquire, situated in said county, said lien to continue for four years from the date of such record and index, except that if during said four-year period the judgment becomes dormant said lien shall thereupon cease to exist, and so as to provide that the lien of any judgment so recorded and indexed prior to the effective date of this Act, if then valid, shall continue for four years from the effective date of this Act, except that if during said four years the judgment becomes dormant said lien shall thereupon cease to exist, and declaring an emergency."

The bill was read third time.

Mr. Fox offered the following amendment to the bill:

Amend House Bill No. 625, by striking out all below the enacting clause

and inserting in lieu thereof the following:

"Section 1. That Article 5449 of the Revised Civil Statutes of the State of Texas, 1925 Revision, as amended by Chapter 291, of the General Laws of the Regular Session of the Forty-fourth Legislature, be amended so as to read as follows:

"Article 5449. When any judgment has been so recorded and indexed, whether it be the first or a subsequent abstract of said judgment, it shall, from the date of such record and index, if said judgment is not then dormant, operate as a lien upon all of the real estate of the defendant situated in the county where such record and index are made, and upon all real estate which the defendant may thereafter acquire, situated in said County. Said lien shall continue for ten years from the date of such record and index, except that if during said ten-year period the judgment becomes dormant said lien shall thereupon cease to exist, provided, that the lien of any judgment so recorded and indexed prior to the effective date of this Act, if then valid, shall continue for ten years from the effective date of this Act, except that if during said ten years the judgment becomes dormant said lien shall thereupon cease to exist.

"Sec. 2. The fact that there is a confusion and uncertainty by reason of the amendment of said Article 5449 as to rights of judgment creditors and as to how long and under what conditions a judgment lien shall continue in existence, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Mr. Fox offered the following amendment to the bill:

Amend House Bill No. 625, by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL

To Be Entitled

An Act amending Article 5449, 1925, Civil Statutes, as amended by Chapter 291, of the General Laws

of the Regular Session of the Forty-fourth Legislature, so as to provide that when any abstract of judgment has been recorded it shall, from the date of such record and index, whether it be the first or a subsequent abstract of said judgment, operate as a lien upon all of the real estate of the defendant situated in the county where such record and index are made and upon all real estate which defendant may thereafter acquire, situated in said county, said lien to continue for ten years from the date of such record and index, except that if during said ten year period the judgment becomes dormant said lien shall thereupon cease to exist, and so as to provide that the lien of any judgment so recorded and indexed prior to the effective date of this Act, if then valid, shall continue for ten years from the effective date of this Act, except that if during said ten years the judgment becomes dormant said lien shall thereupon cease to exist, and declaring an emergency."

The amendment was adopted.

House Bill No. 625 was then passed by the following vote:

Yeas—128

Alexander	Dickison
Alsup	Dollins
Amos	England
Baker	Farmer
Bates	Felty
Beckworth	Fielden
Blankenship	Fox
Boethel	Fuchs
Bond	Gibson
Boyer	Hamilton
Bradbury	Hankamer
Bradford	Hanna
Bridgers	Harbin
Brown	Hardin
Burton	Harper
Cagle	Harrell
Callan	Harris of Dallas
Carssow	Harris of Dickens
Cathey	Hartzog
Cauthorn	Heflin
Celaya	Herzik
Cleveland	Holland
Davis of Haskell	Hoskins
Davis of Jasper	Huddleston
Davison of Fisher	Hyder
Davison	Jackson
of Eastland	James
Deglandon	Johnson of Ellis
Derden	Jones of Angelina

Jones of Falls	Powell
Jones of Wise	Prescott
Keefe	Quinn
Keith	Ragsdale
Kelt	Reed of Bowie
Kenyon	Reed of Dallas
King	Rhodes
Knetsch	Riddle
Langdon	Roark
Lankford	Russell
Lanning	Rutta
Leath	Schuenemann
Leonard	Settle
Leyendecker	Sewell
Little	Sharpe
Loggins	Shell
London	Simpson
Lucas	Skaggs
Mann	Smith of Hopkins
Mauritz	Smith of Tarrant
Mays	Stinson
McConnell	Talbert
McCracken	Tarwater
McDonald	Tennant
McFarland	Tennvson
McKee	Thornberry
Metcalfe	Thornton
Moffett	Vale
Monkhouse	Waggoner
Morris	Walker
Morse	Weldon
Newton	Westbrook
Nicholson	Winfree
Palmer	Wood
Patterson of Mills	Worley
Pope	

Nays—1

Ross

Absent

Bell	McKinney
Broadfoot	Oliver
Colquitt	Patterson
Dean	of Travis
Graves	Reader
Harris of Archer	Smith
Hull	of Matagorda
Johnson	Stevenson
of Tarrant	Stocks
Jones of Atascosa	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 627 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 627, A bill to be entitled "An Act creating a closed season upon wild deer, buck, doe or fawn

for a period of five (5) years in the County of Polk, in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild deer, buck, doe or fawn within said County, for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

The bill was read third time.

Mr. Loggins offered the following amendment to the bill:

Amend House Bill No. 627, Section 1, by striking out the words and figure "five (5) years" and inserting in lieu thereof the following: "two (2) years."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 627 was then passed.

HOUSE BILL NO. 647 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 647, A bill to be entitled "An Act granting permission to Mrs. Cora Mills, Mrs. Elzine Kinsey and husband, Loyd Kinsey, and Mrs. Marie Fouts and husband, Aubrey Fouts, to bring suit against the State of Texas and/or Highway Department of the State of Texas, in a court of competent jurisdiction for damages for personal injuries received by Ed Mills which said injuries are alleged to have resulted in his death, and which said injuries were received by the said Ed Mills while on duty in the employ of the State Highway Department of the State of Texas; providing that any judgment recovered be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 648 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 648, A bill to be entitled

"An Act granting permission to W. M. Rosseau to bring suit against the State of Texas, and/or Highway Department, in a court of competent jurisdiction, for damages for personal injuries received by him while on duty in the employ of the Highway Department of the State of Texas, and which injuries are alleged to have produced damages to the said W. M. Rosseau, providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 666 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 666, A bill to be entitled "An Act amending Article 3410 of the Revised Civil Statutes of the State of Texas of 1925, providing in addition to the requirements of Article 3410, for the filing by the administrator or executor of an estate a list of claims owing by the estate, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—126

Alexander	Davis of Haskell
Alsup	Davis of Jasper
Amos	Davison of Fisher
Baker	Davison
Bates	of Eastland
Beckworth	Deglandon
Bell	Derden
Blankenship	Dickison
Boethel	Dollins
Bond	England
Bradbury	Farmer
Bradford	Felty
Bridgers	Fielden
Broadfoot	Fuchs
Brown	Gibson
Burton	Hamilton
Cagle	Hankamer
Callan	Hanna
Carssow	Harper
Cathey	Harrell
Cauthorn	Harris of Archer
Cleveland	Harris of Dallas
Colquitt	Harris of Dickens

Hartzog	Morse
Heflin	Newton
Herzik	Nicholson
Holland	Palmer
Hoskins	Patterson of Mills
Huddleston	Pope
Hyder	Powell
Jackson	Prescott
James	Quinn
Johnson of Ellis	Ragsdale
Jones of Angelina	Reed of Bowie
Jones of Falls	Reed of Dallas
Jones of Wise	Rhodes
Keefe	Riddle
Keith	Roark
Kelt	Ross
Kenyon	Russell
King	Rutta
Knetsch	Schuenemann
Langdon	Settle
Lankford	Sewell
Lanning	Sharpe
Leath	Shell
Leonard	Simpson
Leyendecker	Smith of Hopkins
Little	Smith of Tarrant
Loggins	Stinson
London	Talbert
Lucas	Tarwater
Mann	Tennant
Mauritz	Tennyson
Mays	Thornberry
McConnell	Thornton
McCracken	Wagoner
McDonald	Walker
McFarland	Weldon
McKee	Westbrook
Metcalf	Winfree
Moffett	Wood
Monkhouse	Worley
Morris	

Nays—1

Skaggs

Present—Not Voting

Harbin

Absent

Boyer	McKinney
Celaya	Oliver
Dean	Patterson
Fox	of Travis
Graves	Reader
Hardin	Smith
Hull	of Matagorda
Johnson	Stevenson
of Tarrant	Stocks
Jones of Atascosa	Vale

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 671 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 671, A bill to be entitled, "An Act creating the Coastal Division of Game, Fish and Oyster Commission; giving the power and making it the duty of the Game, Fish and Oyster Commission to appoint an Executive Officer for the Division; providing that it may perform its duties through said officer; providing for an Assistant Director of Coastal Division; providing the amount of compensation to be paid the Director and Assistant Director; providing that the Legislature set the maximum amount to be paid other employees of the Division; providing for bonds for employees of Coastal Division; appropriating the Fish and Oyster Fund; providing the effective date of the Act; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—125

Alexander	Dollins
Alsup	England
Amos	Farmer
Baker	Felty
Bates	Fielden
Beckworth	Fuchs
Bell	Gibson
Blankenship	Hamilton
Boethel	Hankamer
Bond	Hanna
Boyer	Harbin
Bradbury	Harrell
Bradford	Harris of Archer
Broadfoot	Harris of Dallas
Brown	Harris of Dickens
Burton	Hartzog
Cagle	Heflin
Callan	Herzik
Carssow	Holland
Cathey	Hoskins
Cauthorn	Huddleston
Celaya	Hyder
Cleveland	Jackson
Colquitt	James
Davis of Haskell	Johnson of Ellis
Davis of Jasper	Jones of Angelina
Davison of Fisher	Jones of Falls
Davison	Jones of Wise
of Eastland	Keefe
Deglandon	Keith
Derden	Kelt
Dickison	King

Knetsch	Reed of Bowie
Langdon	Reed of Dallas
Lankford	Rhodes
Lanning	Riddle
Leath	Roark
Leonard	Ross
Leyendecker	Russell
Little	Rutta
Loggins	Schuenemann
London	Settle
Lucas	Sewell
Mann	Sharpe
Mays	Shell
McConnell	Simpson
McCracken	Skaggs
McDonald	Smith of Hopkins
McKee	Smith of Tarrant
Metcalfe	Stinson
Moffett	Talbert
Monkhouse	Tarwater
Morris	Tennant
Morse	Tennyson
Newton	Thornberry
Nicholson	Thornton
Palmer	Waggoner
Patterson of Mills	Walker
Pope	Weldon
Powell	Westbrook
Prescott	Winfree
Quinn	Wood
Ragsdale	Worley

Absent

Bridgers	McFarland
Dean	McKinney
Fox	Oliver
Graves	Patterson
Hardin	of Travis
Harper	Reader
Hull	Smith
Johnson	of Matagorda
of Tarrant	Stevenson
Jones of Atascosa	Stocks
Kenyon	Vale
Mauritz	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 677 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 677, A bill to be entitled "An Act to amend Article 3137 of the Revised Civil Statutes of Texas changing the date of canvassing the returns of the primary elections by the State Executive Committee, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 759 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 759, A bill to be entitled "An Act defining a Wholesale Fur Buyer, a Retail Fur Buyer and a Trapper; providing licenses for those engaged in such business and defining the privileges granted under such licenses; providing for the disposition of funds collected from the sale of such licenses; repealing all laws in conflict with this Act, and specifically that portion of the law of this State requiring a tax receipt tag to be attached to the pelts of fur-bearing animals; providing a suitable penalty for violation of any provision of this Act, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 770 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 770, A bill to be entitled "An Act to prevent the cancellation of a contract for the retail sale of automobiles entered into after the passage of this Act, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—127

Alexander	Davis of Haskell
Alsup	Davis of Jasper
Amos	Davison of Fisher
Baker	Davison
Bates	of Eastland
Beckworth	Deglandon
Bell	Derden
Blankenship	Dickison
Boethel	Dollins
Bond	England
Boyer	Farmer
Bradbury	Felty
Bradford	Fielden
Bridgers	Fuchs
Broadfoot	Gibson
Brown	Hamilton
Burton	Hankamer
Cagle	Hanna
Callan	Harbin
Carssow	Hardin
Cathey	Harper
Cauthorn	Harrell
Celaya	Harris of Archer
Cleveland	Harris of Dallas
Colquitt	Harris of Dickens

Hartzog	Newton
Heflin	Nicholson
Herzik	Palmer
Holland	Patterson of Mills
Hoskins	Pope
Huddleston	Prescott
Hyder	Quinn
Jackson	Ragsdale
James	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Jones of Angelina	Rhodes
Jones of Falls	Riddle
Jones of Wise	Roark
Keefe	Ross
Keith	Russell
Kelt	Rutta
King	Schuenemann
Knetsch	Settle
Langdon	Sewell
Lankford	Sharpe
Lanning	Shell
Leath	Simpson
Leonard	Skaggs
Leyendecker	Smith of Hopkins
Little	Smith of Tarrant
Loggins	Talbert
London	Tarwater
Lucas	Tennant
Mann	Tennyson
Mauritz	Thornberry
Mavs	Thornton
McConnell	Vale
McCracken	Waggoner
McDonald	Walker
Metcalf	Weldon
Moffett	Westbrook
Monkhouse	Winfree
Morris	Wood
Morse	Worley

Absent

Dean	Oliver
Fox	Patterson
Graves	of Travis
Hull	Powell
Johnson	Reader
of Tarrant	Smith
Jones of Atascosa	of Matagorda
Kenyon	Stevenson
McFarland	Stinson
McKee	Stocks
McKinney	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 772 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 772, A bill to be entitled "An Act amending Section 9 of Chap-

ter 101 of the General and Special Laws of the First Called Session of the Forty-third Legislature, being House Bill No. 31 and as amended by Chapter 346 of the General and Special Laws of the Regular Session of the Forty-fourth Legislature, being House Bill 991; providing the method of disbursement of the funds of such fireman, policeman, and fire alarm operator's pension fund, the section of said Acts so amended hereinafter set out, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—127

Alexander	Harris of Dallas
Alsup	Harris of Dickens
Amos	Herzik
Baker	Holland
Bates	Hoskins
Beckworth	Huddleston
Bell	Hyder
Blankenship	Jackson
Boethel	James
Bond	Johnson of Ellis
Boyer	Jones of Angelina
Bradbury	Jones of Falls
Bradford	Jones of Wise
Bridgers	Keefe
Broadfoot	Keith
Brown	Kelt
Burton	Kenyon
Cagle	King
Callan	Knetsch
Carssow	Langdon
Cathey	Lankford
Cauthorn	Lanning
Celaya	Leath
Cleveland	Leonard
Colquitt	Leyendecker
Davis of Haskell	Little
Davis of Jasper	Loggins
Davisson	London
of Eastland	Lucas
Deglandon	Mann
Derden	Mauritz
Dickison	Mays
Dollins	McConnell
England	McCracken
Farmer	McDonald
Felty	McKee
Fielden	Metcalfe
Fuchs	Moffett
Gibson	Monkhouse
Hamilton	Morris
Hankamer	Morse
Hanna	Newton
Harbin	Nicholson
Hardin	Palmer
Harper	Patterson of Mills
Harrell	Pope
Harris of Archer	Powell

Prescott	Smith of Hopkins
Quinn	Smith of Tarrant
Reed of Bowie	Stevenson
Reed of Dallas	Stinson
Rhodes	Talbert
Riddle	Tarwater
Roark	Tennant
Ross	Tennyson
Russell	Thornberry
Rutta	Thornton
Schuenemann	Waggoner
Settle	Walker
Sewell	Weldon
Sharpe	Westbrook
Shell	Winfree
Simpson	Wood
Skaggs	Worley

Absent

Davison of Fisher	McKinney
Dean	Oliver
Fox	Patterson
Graves	of Travis
Hartzog	Ragsdale
Heflin	Reader
Hull	Smith
Johnson	of Matagorda
of Tarrant	Stocks
Jones of Atascosa	Vale
McFarland	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 778 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 778, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; making this Act cumulative of all General Laws on the same subject, such General Laws to apply except in case of conflict when the provisions of this Act shall control, and declaring an emergency."

The bill was read third time.

On motion of Mr. Loggins, the bill was laid on the table.

HOUSE BILL NO. 823 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 823, A bill to be entitled "An Act to amend Section 1, of Chap-

ter 473, page 1866, Second Called Session, Forty-fourth Legislature, by removing the population classification therefrom, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—125

Alexander	James
Alsup	Johnson of Ellis
Amos	Jones of Angelina
Baker	Jones of Falls
Bates	Jones of Wise
Beckworth	Keefe
Bell	Keith
Blankenship	Kelt
Boethel	Kenyon
Bond	King
Boyer	Knetsch
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Broadfoot	Leath
Brown	Leonard
Burton	Leyendecker
Cagle	Little
Callan	Loggins
Carssow	London
Cauthorn	Lucas
Celaya	Mann
Cleveland	Mauritz
Colquitt	Mays
Davis of Haskell	McConnell
Davis of Jasper	McCracken
Davison of Fisher	McDonald
Davisson	McKee
of Eastland	Metcalfe
Deglandon	Moffett
Dickison	Monkhouse
Dollins	Morris
England	Morse
Farmer	Newton
Felty	Nicholson
Fielden	Palmer
Fuchs	Patterson of Mills
Gibson	Pope
Hamilton	Powell
Hankamer	Prescott
Hanna	Quinn
Harbin	Ragsdale
Hardin	Reed of Bowie
Harper	Reed of Dallas
Harrell	Rhodes
Harris of Archer	Riddle
Harris of Dallas	Roark
Harris of Dickens	Ross
Hartzog	Russell
Herzik	Rutta
Holland	Schuenemann
Hoskins	Settle
Huddleston	Sharpe
Hyder	Shell
Jackson	Simpson

Skaggs	Thornton
Smith of Hopkins	Waggoner
Smith of Tarrant	Walker
Stinson	Weldon
Talbert	Westbrook
Tarwater	Winfree
Tennant	Wood
Tennyson	Worley

Absent

Cathey	Oliver
Dean	Patterson
Derden	of Travis
Fox	Reader
Graves	Sewell
Heflin	Smith
Hull	of Matagorda
Johnson	Stevenson
of Tarrant	Stocks
Jones of Atascosa	Thornberry
McFarland	Vale
McKinney	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 896 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 896, A bill to be entitled "An Act making it unlawful to use any seine, net, gill net, trot line or other mechanical or physical device, except hook and line, for the purpose of fishing within the waters of certain navigation districts in Texas; providing that possession of such devices on the right-of-way or lands or premises of such navigation districts shall constitute prima facie proof of guilt; providing for the punishment of persons violating the provisions hereof, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—123

Alexander	Broadfoot
Alsup	Burton
Amos	Cagle
Baker	Callan
Bates	Carssow
Beckworth	Cathey
Bell	Cauthorn
Blankenship	Celaya
Boethel	Cleveland
Bond	Colquitt
Boyer	Davis of Jasper
Bradbury	Davison of Fisher
Bradford	Davisson
Bridgers	of Eastland

Deglandon	Mauritz
Derden	Mays
Dickison	McConnell
Dollins	McCracken
England	McDonald
Farmer	McKee
Felty	Metcalfe
Fielden	Moffett
Fuchs	Monkhouse
Gibson	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Nicholson
Harbin	Pope
Hardin	Powell
Harrell	Prescott
Harris of Archer	Quinn
Harris of Dallas	Ragsdale
Harris of Dickens	Reed of Bowie
Hartzog	Reed of Dallas
Herzik	Rhodes
Holland	Roark
Hoskins	Ross
Huddleston	Russell
Hyder	Rutta
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Sewell
Jones of Angelina	Sharpe
Jones of Falls	Shell
Jones of Wise	Simpson
Keefe	Skaggs
Keith	Smith of Hopkins
Kelt	Smith of Tarrant
Kenyon	Stinson
King	Talbert
Knetsch	Tarwater
Langdon	Tennant
Lankford	Tennyson
Lanning	Thornberry
Leath	Thornton
Leonard	Waggoner
Leyendecker	Walker
Little	Weldon
Loggins	Westbrook
London	Winfree
Lucas	Wood
Mann	Worley

Absent

Brown	Oliver
Davis of Haskell	Palmer
Dean	Patterson of Mills
Fox	Patterson
Graves	of Travis
Harper	Reader
Heflin	Riddle
Hull	Smith
Johnson	of Matagorda
of Tarrant	Stevenson
Jones of Atascosa	Stocks
McFarland	Vale
McKinney	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL, NO. 932 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 932, A bill to be entitled "An Act to fix the salaries and compensation of County Commissioners in counties with a taxable valuation of not less than Forty-seven Million, One Hundred Thousand (\$47,100,000.00) Dollars nor more than Forty-eight Million, One Hundred (\$48,100,000.00) Thousand Dollars taxable valuation according to the valuation as shown on the County Tax Assessors rolls for county purposes, and providing for payment of such salaries and the funds from which such salaries shall be paid and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—121

Alexander	Felty
Alsup	Fielden
Amos	Fuchs
Baker	Gibson
Beckworth	Hamilton
Bell	Hankamer
Blankenship	Hanna
Boethel	Harbin
Bond	Hardin
Boyer	Harper
Bradbury	Harrell
Bradford	Harris of Archer
Bridgers	Harris of Dickens
Broadfoot	Hartzog
Brown	Herzik
Burton	Holland
Cagle	Hoskins
Callan	Huddleston
Carssow	Hyder
Cathey	Jackson
Cauthorn	James
Cleveland	Johnson of Ellis
Colquitt	Jones of Angelina
Davis of Haskell	Jones of Falls
Davis of Jasper	Jones of Wise
Davison of Fisher	Keefe
Davison	Kelt
of Eastland	Kenyon
Deglandon	King
Derden	Knetsch
Dickison	Langdon
Dollins	Lankford
England	Lanning
Farmer	Leath

Leonard	Roark
Leyendecker	Ross
Little	Russell
Loggins	Rutta
London	Schuenemann
Lucas	Settle
Mann	Sewell
Mauritz	Sharpe
Mays	Shell
McConnell	Simpson
McCracken	Skaggs
McDonald	Smith of Hopkins
McKee	Smith of Tarrant
Metcalfe	Stinson
Moffett	Talbert
Monkhouse	Tarwater
Morris	Tennant
Morse	Tennyson
Newton	Thornberry
Palmer	Thornton
Powell	Waggoner
Prescott	Walker
Quinn	Weldon
Ragsdale	Westbrook
Reed of Bowie	Winfree
Reed of Dallas	Wood
Rhodes	Worley

Absent

Bates	Nicholson
Celaya	Oliver
Dean	Patterson of Mills
Fox	Patterson
Graves	of Travis
Harris of Dallas	Pope
Heflin	Reader
Hull	Riddle
Johnson	Smith
of Tarrant	of Matagorda
Jones of Atascosa	Stevenson
Keith	Stocks
McFarland	Vale
McKinney	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 943 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 943, A bill to be entitled "An Act to amend Article IV of Chapter 495, Acts of the Forty-fourth Legislature, Third Called Session, by adding a new section to be inserted immediately following Section 9 thereof, which new section shall be known and cited as Section 9A providing that tax on notes and secured obligation shall be levied on only one of several contemporaneous instru-

ments securing the same obligation, provided such shall be upon the instrument of greatest denomination, provided said exemption shall not apply to subsequent instruments securing said obligation, repealing all laws and parts of law in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Walker offered the following amendment to the bill:

Amend House Bill No. 943, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Sec. 1. That Section 9 of Article 4 of House Bill No. 8, Acts of the Third Called Session of the Forty-fourth Legislature be, and the same is hereby amended to hereinafter read as follows:

(a) Except as herein otherwise provided, there is hereby levied and assessed a tax of ten cents (10c) on each One Hundred (\$100.00) Dollars or fraction thereof, over the first Two Hundred (\$200.00) Dollars, on all chattel mortgages, deeds of trust, mechanic's lien contracts, vendor's lien, abstract of judgment lien, conditional sales contracts and all instruments of a similar nature which are filed or recorded in the office of the county clerk under the registration laws of this State; providing that no tax shall be levied on instruments for an amount of Two Hundred (\$200.00) Dollars or less. After the effective date of this Act, except as hereinafter provided, no instrument creating a lien of any character included in this Act, to secure the payment of money, or reserving title to any property until the purchase price thereof shall have been paid, shall be filed or recorded by any county clerk in this State until there has been affixed to such instrument stamps in accordance with the provisions of this Act; and providing further that the provisions of this Act shall not apply to renewals or extensions of any such obligations, and specifically shall not apply to refunding of existing bonds or obligations; and providing further that this Act shall not apply to instruments securing obligations taken by or on behalf of the United States or any corporate agency or instrumentality of the United States Government in carrying out a governmental purpose as expressed in any act of the Con-

gress of the United States, except as permitted by Congress. Provided further, this Act shall not apply to notes, obligations or instruments securing same, taken by or on behalf of the State of Texas or any agency or instrumentality of the State Government in carrying out a governmental purpose.

(b) If subsequent to the recording of a mortgage or other instrument included in this Act on which all taxes, if any, accrued under this Act have been paid, a supplemental instrument or mortgage is recorded or filed for the purpose of correcting or perfecting any recorded instrument or pursuant to some provision or covenant therein, or an additional instrument, is recorded imposing the lien thereof upon property not originally covered by, or not described in such recorded primary instrument for the purpose of securing the indebtedness which is, or under any contingency may be, secured by such recorded primary instrument, such additional instrument or mortgage shall not be subject to taxation under this Act, unless it creates or secures a new or further indebtedness or obligation other than the indebtedness or obligation secured by, or which under any contingency may be secured by the recorded primary instrument, in which case a tax is imposed on such new or further indebtedness or obligation as heretofore provided and shall be paid as provided herein before the time such instrument or additional instrument is recorded; provided the tax levied in this Act shall apply to only one instrument where several instruments are contemporaneously executed to secure one obligation; and the tax shall be applied to the instrument of the greatest denomination: Provided, however, that no instrument evidencing an obligation or creating a lien or other equitable interest in property shall be exempt from the provisions of this Act because another prior instrument evidencing an obligation or creating a lien or other equitable interest in the same property has been executed or registered: and provided further that the affixing of the necessary stamps, as provided in this Act, shall entitle all such instrument or instruments to record in any record to which it or they may otherwise by law be entitled, and in the records of more than one county in the State,

without the placing thereon, for each separate instrument or separate recording, of additional stamps, it being the intention hereof to levy such tax on each obligation to pay money, and not to tax each instrument securing payment of the same obligation or indebtedness. The clerk of the county where the taxed instrument or instruments is first recorded, shall, upon the request of the holder of such instrument or instruments, make proper certificate on the copies of the instrument or instruments, showing that the tax has been paid on, and all necessary stamps have been affixed to, the original of such instrument or instruments; the clerk shall, upon making such certificate, charge therefor a fee not to exceed the sum of fifty (50) cents for each certificate.

(c) If the maximum amount secured, or which by any contingency may be secured by the mortgage or other instrument, is not expressed in the mortgage or other instrument, the county clerk at the time such instrument is offered for filing or recording may require the mortgagee to furnish him with proofs by sworn statement in writing as to such facts as he deems necessary for the computing of the maximum amount secured by the mortgage or other instrument, and such proofs shall be preserved in his office.

(d) No mortgage or other instrument which is subject to the taxes imposed by this Act shall be released, discharged of record or received in evidence in any action or proceeding, nor shall any assignment of, or agreement extending any such mortgage or other instrument be recorded unless the taxes imposed thereon by this Act shall have been paid as provided in this Act. No judgment or final order in any action or proceeding shall be made for the foreclosure or enforcement of any lien which is subject to the taxes imposed by this Act, unless the taxes imposed by this Act shall have been paid as provided in this Act.

"Sec. 2. Payment of the tax hereby levied shall be evidenced by affixing the stamps herein provided for, to all instruments included within the provisions of this Act and it shall be the duty of the State Treasurer to have engraved or printed the stamps necessary to comply with this Act, and to consign said stamps to the different county clerks of the State of Texas,

as, and when, requested by said county clerks. The stamps shall be of such design and denominations as to the Treasurer shall seem proper, and shall show the amount of the tax, the payment of which is evidenced thereby, and shall contain the words 'lien stamps'. The county clerks of the State of Texas shall keep a supply of such stamps on hand in their office for sale to any person upon demand and payment therefor, and shall remit all moneys received from the sale of such stamps, except as hereinafter provided, to the State Treasurer at any time when requesting additional stamps from the State Treasurer; provided that if the county clerk does not order additional stamps and remit said moneys on or before the 25th day of each month he shall make remittance of any moneys on hand, except as hereinafter provided, from the sale of such stamps not later than the 25th day of each month irrespective of whether or not such clerk orders additional stamps; providing further, that each county clerk shall be entitled to retain as fees of office for handling said stamps, five per cent (5%) of the amount of money received from the sale of such stamps, provided such fee for any one month shall not exceed \$250.00, said five per cent to be retained by the county clerk when remitting to the State Treasurer, as above provided; providing further, that the county clerks shall be liable under their official bonds for the faithful performance of their duties and the remittance of moneys to the State Treasurer, from the sale of stamps as herein provided. The State Treasurer shall be responsible for the custody of said stamps and shall demand such receipt as he deems necessary from the county clerks upon consignment of stamps to the county clerks as herein provided, and said Treasurer shall be liable for the proceeds received by him under his official bond. The State Treasurer shall from time to time deduct enough money from the proceeds received from the sale of stamps to pay for the printing of said stamps, the mailing of said stamps to the county clerks and any and all other expenses incident to the carrying out of this Act, said money to be deducted by the State Treasurer before allocating the funds received from the sale of said stamps.

"Sec. 3. All revenues derived and collected under the provisions of this Act, except where otherwise specifically allocated shall be deposited, one-fourth ($\frac{1}{4}$) to the credit of the Available School Fund, and the remainder to the credit of the General Revenue Fund of the State."

"Sec. 4. Should any portion, section, word or phrase of this Act be declared unconstitutional, such decision shall affect that section, word or phrase, only, and shall not render invalid any of the remaining portions of this Act."

"Sec. 5. The fact that many instruments are being filed for record under the present law without a tax being paid as provided by law and the fact that the law now in force is uncertain and it is impossible for the clerks to determine what instruments should be taxed and the fact that the State is losing large amounts of revenue, creates an emergency and an imperative public necessity for the suspension of the Constitutional Rule requiring that all bills be read on three separate days in each House, and the said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

HOLLAND,
WALKER.

The amendment was adopted.

Mr. Walker offered the following amendment to the bill:

Amend House Bill No. 943, by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL

To Be Entitled

An Act to amend Section 9, Article 4, House Bill 8, Act of the Third Called Session of the Forty-fourth Legislature, so as to levy a tax on chattel mortgages, deeds of trust, mechanic's lien contracts, vendor's lien, abstract of judgment liens, conditional sales contracts and all other instruments of a similar nature which are filed or recorded in the office of the County Clerk; exempting renewals and extensions, exempting instruments taken by or on behalf of United States or its instruments or the State Government or its instrumentalities; providing that supplemental instruments filed for the purpose of cor-

recting or perfecting or for purpose of additional security shall not be subject to the tax, and providing that where several instruments are filed securing the same indebtedness that only one of such instruments shall be subject to the tax; providing that second mortgages shall not be exempt, providing that the County Clerk shall certify on copies that the tax has been paid on the original instrument and fixing a fee therefor; providing a method for the clerk to determine the amount secured by such mortgage or other instrument, and providing that no instrument shall be released or discharged of record nor assignment or agreement extending such mortgage shall be recorded nor any judgment or final order in any action or proceeding for foreclosure of any lien subject to the taxes imposed by this Act shall be made or had unless the tax imposed by this Act shall have been paid; providing a method for payment of tax by affixing stamps to such instruments; providing for the printing of stamps by the State Treasurer, consigning of such stamps to the County Clerks of the State of Texas, making them liable under their official bonds for remitting funds received from sale of stamps; providing for a commission to be allowed the Clerks as fees of office for sale of stamps; providing for the remittance by the County Clerks to the State Treasurer of funds received from sale of stamps; providing that the State Treasurer shall be responsible for stamps under his official bond; providing for expenses of printing stamps, mailing same to the County Clerks and other expenses paid out of funds received under this Act by the State Treasurer; allocating the funds received under this Act; providing for a savings clause, and providing for an emergency."

HOLLAND,
WALKER.

The amendment was adopted.

Mr. Thornton and Mr. Kenyon offered the following amendment to the bill:

Amend House Bill No. 943, by adding after the word "state banks" wherever the same appear the words "and private banks".

KENYON,
THORNTON.

The amendment was adopted.

House Bill No. 943 was then passed by the following vote:

Yeas—111

Alexander	Lanning
Alsup	Leath
Amos	Leonard
Bates	Leyendecker
Beckworth	Little
Bell	Loggins
Boethel	London
Bond	Lucas
Boyer	Mann
Bradbury	Mauritz
Bradford	Mays
Brown	McConnell
Burton	McCracken
Cagle	McDonald
Callan	McKee
Carssow	Metcalfe
Cathey	Moffett
Cauthorn	Morris
Cleveland	Morse
Davis of Jasper	Newton
Davison of Fisher	Nicholson
Deglandon	Patterson of Mills
Derden	Prescott
Dickison	Quinn
Dollins	Ragsdale
England	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Gibson	Roark
Hamilton	Russell
Hankamer	Rutta
Hanna	Schuenemann
Harbin	Settle
Hardin	Sewell
Harper	Sharpe
Harrell	Shell
Harris of Archer	Simpson
Harris of Dallas	Skaggs
Harris of Dickens	Smith of Hopkins
Hartzog	Smith of Tarrant
Heflin	Stevenson
Holland	Stinson
Hoskins	Talbert
Huddleston	Tarwater
Hyder	Tennant
James	Tennyson
Jones of Angelina	Thornberry
Jones of Falls	Thornton
Jones of Wise	Waggoner
Keefe	Walker
Keith	Weldon
Kenyon	Westbrook
King	Winfree
Knetsch	Wood
Langdon	Worley
Lankford	

Nays—2

Powell

Ross

Absent	
Baker	Johnson
Blankenship	of Tarrant
Bridgers	Jones of Atascosa
Broadfoot	Kelt
Celaya	McFarland
Colquitt	McKinney
Davis of Haskell	Monkhouse
Davisson	Oliver
of Eastland	Palmer
Dean	Patterson
Farmer	of Travis
Fox	Pope
Fuchs	Reader
Graves	Riddle
Herzik	Smith
Hull	of Matagorda
Jackson	Stocks
Johnson of Ellis	Vale

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 958 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 958, A bill to be entitled "An Act providing for a closed season on the killing or possession of squirrels in the Counties of Polk, Trinity, Angelina, Nacogdoches, Sabine, Jasper, San Jacinto, Houston, Tyler, Liberty and Hardin, from the 1st day of January of each year through and including the 30th day of September of each year; providing for a bag limit of not more than five (5) squirrels that may be taken, killed or possessed in said Counties in any one day and a limit of not exceeding fifteen (15) squirrels in any one week; prescribing the penalties for the violation of any provision of this Act, repealing any provision of any law in conflict herewith and declaring an emergency."

The bill was read third time.

Mr. Loggins offered the following amendment to the bill:

Amend House Bill No. 958, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. From and after the date of passage of this Act it shall be unlawful for any person to kill, take, or have in his possession any squirrel or squirrels in Liberty and Hardin counties, except during the month of June and during the period

from November 10th to January 15th of each calendar year, which periods are declared to be open seasons for the killing and taking of squirrels in said counties.

"Section 2. From and after the date of passage of this Act it shall be unlawful for any person to kill, take, or have in his possession any squirrels in Polk, Trinity, Angelina, Tyler, and Nacogdoches Counties, except during the month of July and during the period from November 10th to January 15th of each calendar year, which periods are declared to be open seasons for the killing and taking of squirrels in said Counties.

"Section 3. From and after the date of passage of this Act it shall be unlawful for any person to kill or take more than ten squirrels in any one day and it shall be unlawful for any person to have more than twenty squirrels in his possession at any time during the periods declared by this Act to be open seasons in Polk, Trinity, Angelina, Tyler, Nacogdoches, Liberty, and Hardin Counties.

"Section 4. Any person who violates the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction therefor shall be fined in any sum not less than Ten (\$10.00) Dollars and not more than One Hundred (\$100.00) Dollars.

"Section 5. All laws and parts of laws in conflict with the provisions of this Act or any part hereof are hereby expressly repealed so far as concerns Polk, Trinity, Angelina, Tyler, Nacogdoches, Liberty, and Hardin Counties.

"Section 6. The fact that the people of Polk, Trinity, Angelina, Tyler, Nacogdoches, Liberty and Hardin Counties desire a change in their game laws, affecting the killing of squirrels so as to better protect this valuable wild animal creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended and it is so enacted."

LOGGINS,
JONES of Angelina,
ROARK,
BATES.

The amendment was adopted.

Mr. Loggins offered the following amendment to the bill:

Amend House Bill No. 958, by striking out all above the enacting

clause and inserting in lieu thereof the following:

"A BILL

To Be Entitled

An Act making it unlawful to kill or take squirrels in Polk, Trinity, Angelina, Tyler, Nacogdoches, Liberty, and Hardin Counties except during certain seasons; providing for a bag limit of not more than ten squirrels per day and not more than twenty squirrels in possession at any one time in said counties; prescribing a penalty for the violation of any provisions of this Act; repealing all laws in conflict with the provisions of this Act, and declaring an emergency."

LOGGINS,
JONES of Angelina,
ROARK.
BATES.

The amendment was adopted.

House Bill No. 958 was then passed by the following vote:

Yeas—115

Alexander	Hankamer
Alsup	Hanna
Amos	Harbin
Baker	Hardin
Bates	Harper
Beckworth	Harrell
Bell	Harris of Archer
Boethel	Harris of Dallas
Bond	Harris of Dickens
Boyer	Hartzog
Bradbury	Holland
Bradford	Hoskins
Broadfoot	Huddleston
Brown	Hyder
Burton	James
Cagle	Johnson of Ellis
Callan	Jones of Angelina
Carssow	Jones of Falls
Cauthorn	Jones of Wise
Celaya	Keefe
Cleveland	Keith
Davis of Haskell	Kelt
Davis of Jasper	King
Davison of Fisher	Knetsch
Davisson	Langdon
of Eastland	Lankford
Deglandon	Lanning
Derden	Leath
Dickison	Leonard
Dollins	Leyendecker
England	Little
Farmer	Loggins
Felty	London
Fuchs	Lucas
Gibson	Mann
Hamilton	Mauritz

Mays	Settle
McConnell	Sewell
McCracken	Sharpe
McKee	Shell
Moffett	Simpson
Monkhouse	Skaggs
Morris	Smith of Hopkins
Morse	Smith of Tarrant
Newton	Stinson
Nicholson	Talbert
Palmer	Tarwater
Patterson of Mills	Tennant
Pope	Tennyson
Prescott	Thornberry
Quinn	Thornton
Ragsdale	Waggoner
Reed of Bowie	Walker
Reed of Dallas	Weldon
Rhodes	Westbrook
Roark	Winfree
Russell	Wood
Schuenemann	Worley

Nays—1

Ross

Present—Not Voting

Powell

Absent

Blankenship	McDonald
Bridgers	McFarland
Cathey	McKinney
Colquitt	Metcalfe
Dean	Oliver
Fielden	Patterson
Fox	of Travis
Graves	Reader
Heflin	Riddle
Herzik	Rutta
Hull	Smith
Jackson	of Matagorda
Johnson	Stevenson
of Tarrant	Stocks
Jones of Atascosa	Vale
Kenyon	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 980 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 980, A bill to be entitled "An Act making it unlawful for any person to hunt, trap, ensnare, kill or attempt to kill any wild deer, buck, doe, fawn or wild turkey in the Counties of Leon, Madison, Robinson, Brazos and Freestone; prescribing a penalty, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—121

Alexander	Kenyon
Alsup	King
Amos	Langdon
Baker	Lankford
Bates	Lanning
Beckworth	Leath
Bell	Leonard
Boethel	Leyendecker
Bond	Little
Boyer	Loggins
Bradbury	London
Bradford	Lucas
Broadfoot	Mann
Brown	Mauritz
Burton	Mays
Cagle	McConnell
Callan	McCracken
Carssow	McDonald
Cathey	McKee
Cauthorn	Metcalf
Celaya	Moffett
Cleveland	Monkhouse
Colquitt	Morris
Davis of Haskell	Morse
Davis of Jasper	Newton
Davison of Fisher	Nicholson
Davisson	Palmer
of Eastland	Patterson of Mills
Deglandon	Powell
Derden	Prescott
Dollins	Quinn
England	Ragsdale
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Fuchs	Roark
Gibson	Russell
Hamilton	Rutta
Hankamer	Schuenemann
Hanna	Settle
Harbin	Sewell
Hardin	Sharpe
Harper	Shell
Harrell	Simpson
Harris of Archer	Skaggs
Harris of Dallas	Smith of Hopkins
Harris of Dickens	Smith of Tarrant
Hartzog	Stevenson
Holland	Stinson
Hoskins	Talbert
Huddleston	Tarwater
Hyder	Tennant
Jackson	Tennyson
James	Thornberry
Johnson of Ellis	Thornton
Jones of Angelina	Waggoner
Jones of Falls	Walker
Jones of Wise	Weldon
Keefe	Westbrook
Keith	Winfree
Kelt	Wood

Nays—1

Dickison

Absent

Blankenship	McKinney
Bridgers	Oliver
Dean	Patterson
Fox	of Travis
Graves	Pope
Heflin	Reader
Herzik	Riddle
Hull	Ross
Johnson	Smith
of Tarrant	of Matagorda
Jones of Atascosa	Stocks
Knetsch	Vale
McFarland	Worley

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 982 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 982, A bill to be entitled "An Act amending Section 1 of Chapter 129, page 356, Acts of the Regular Session of the Forty-fourth Legislature; repealing all laws, or parts of laws, in conflict herewith, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 1004 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1004, A bill to be entitled "An Act providing that the Commissioners' Court of any county wherein the United States Government has or shall hereafter purchase at least twenty-five (25%) per cent in area of the land in said county for reforestation and other purposes, may, with the consent of the Board of County and District Road Indebtedness and the holders of at least eighty (80%) per cent of the bonds hereinafter described, refund, under the provisions of existing law, the road bonds of any such county or of any road district or political subdivision thereof; . . . etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—122	
Alexander	King
Alsup	Knetsch
Amos	Langdon
Baker	Lankford
Bates	Lanning
Beckworth	Leath
Bell	Leonard
Bond	Leyendecker
Boyer	Little
Bradbury	Loggins
Bradford	London
Broadfoot	Lucas
Burton	Mann
Cagle	Mauritz
Callan	Mays
Carssow	McConnell
Cathey	McCracken
Cauthorn	McDonald
Celaya	McKee
Cleveland	Metcalfe
Colquitt	Moffett
Davis of Haskell	Monkhouse
Davis of Jasper	Morris
Davison of Fisher	Morse
Davisson	Newton
of Eastland	Nicholson
Deglandon	Oliver
Derden	Palmer
Dickison	Patterson of Mills
Dollins	Powell
England	Prescott
Farmer	Quinn
Felty	Ragsdale
Fielden	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Rhodes
Hamilton	Roark
Hankamer	Russell
Hanna	Rutta
Harbin	Schuenemann
Hardin	Settle
Harper	Sewell
Harrell	Sharpe
Harris of Archer	Shell
Harris of Dallas	Simpson
Harris of Dickens	Skaggs
Hartzog	Smith of Hopkins
Holland	Smith of Tarrant
Hoskins	Stevenson
Huddleston	Stinson
Hull	Talbert
Hyder	Tarwater
Jackson	Tennant
James	Tennyson
Johnson of Ellis	Thornberry
Jones of Angelina	Thornton
Jones of Falls	Waggoner
Jones of Wise	Weldon
Keefe	Westbrook
Keith	Winfree
Kelt	Wood
Kenyon	Worley

Present—Not Voting	
Boethel	
Absent	
Blankenship	McKinney
Bridgers	Patterson
Brown	of Travis
Dean	Pope
Fox	Reader
Graves	Riddle
Heflin	Ross
Herzik	Smith
Johnson	of Matagorda
of Tarrant	Stocks
Jones of Atascosa	Vale
McFarland	Walker

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 1009 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1009, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a Horticultural and Agricultural Experiment Station at some point within the limits of the El Paso irrigated valley in the State of Texas for the purpose of making scientific investigations and experiments in the production of cotton, alfalfa, and farm crops, etc., . . . and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—123

Alexander	Davis of Haskell
Alsup	Davis of Jasper
Amos	Davison of Fisher
Baker	Davisson
Bates	of Eastland
Beckworth	Deglandon
Bell	Derden
Boethel	Dickison
Bond	Dollins
Boyer	England
Bradbury	Farmer
Bradford	Felty
Broadfoot	Fielden
Brown	Fuchs
Burton	Gibson
Callan	Hamilton
Carssow	Hankamer
Cathey	Hanna
Cauthorn	Harbin
Cleveland	Hardin

Harper	Monkhouse
Harrell	Morris
Harris of Archer	Morse
Harris of Dallas	Newton
Harris of Dickens	Nicholson
Hartzog	Palmer
Holland	Patterson of Mills
Hoskins	Pope
Huddleston	Powell
Hull	Prescott
Hyder	Quinn
Jackson	Ragsdale
James	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Jones of Angelina	Rhodes
Jones of Falls	Roark
Jones of Wise	Russell
Keefe	Rutta
Keith	Schuenemann
Kelt	Settle
Kenyon	Sewell
King	Sharpe
Knetsch	Shell
Langdon	Simpson
Lankford	Skaggs
Lanning	Smith of Hopkins
Leath	Smith of Tarrant
Leonard	Stevenson
Leyendecker	Stinson
Little	Talbert
Loggins	Tarwater
London	Tennant
Lucas	Tennyson
Mann	Thornberry
Mauritz	Thornton
Mays	Waggoner
McConnell	Walker
McCracken	Weldon
McDonald	Westbrook
McKee	Winfree
Metcalf	Wood
Moffett	Worley

Absent

Blankenship	McFarland
Bridgers	McKinney
Cagle	Oliver
Celaya	Patterson
Colquitt	of Travis
Dean	Reader
Fox	Riddle
Graves	Ross
Heflin	Smith
Herzik	of Matagorda
Johnson	Stocks
of Tarrant	Vale
Jones of Atascosa	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 1021 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1021, A bill to be entitled "An Act fixing and limiting expenses of candidates for Representative in the State Legislature in primary election in counties of more than 300,000 inhabitants, according to the last preceding Federal Census; . . . etc., and repealing all laws in conflict with the provisions of this Act, but not otherwise."

The bill was read third time.

Mr. Nicholson offered the following amendment to the bill:

Amend House Bill No. 1021, by changing the population of "290,000," as inserted therein by amendment, to the population of "100,000".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1021 was then passed.

HOUSE BILL NO. 1023 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1023, A bill to be entitled "An Act creating a special road law for Jeff Davis County, Texas, providing that said County may fund or refund the indebtedness outstanding against its road and bridge fund as of February 1, 1937, setting forth the method of operation; validating all acts and proceedings heretofore had by the Commissioners Court of said County and officers thereof in respect to the funding or refunding of said indebtedness; validating certain items of indebtedness heretofore authorized by said Commissioners Court; providing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding and refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—112	
Alexander	Langdon
Alsup	Lankford
Amos	Lanning
Baker	Leath
Bates	Leonard
Beckworth	Leyendecker
Boethel	Little
Bond	Loggins
Boyer	London
Bradbury	Lucas
Bradford	Mann
Broadfoot	Mays
Burton	McConnell
Cagle	McDonald
Carssow	McKee
Cathey	Metcalfe
Cauthorn	Moffett
Celaya	Monkhouse
Davis of Haskell	Morse
Davis of Jasper	Newton
Davison of Fisher	Nicholson
Davisson	Oliver
of Eastland	Palmer
Deglandon	Patterson of Mills
Derden	Patterson
Dollins	of Travis
England	Powell
Farmer	Prescott
Felty	Quinn
Fielden	Ragsdale
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Hamilton	Rhodes
Hankamer	Roark
Hanna	Russell
Harbin	Rutta
Hardin	Settle
Harris of Archer	Schuenemann
Harris of Dallas	Sewell
Harris of Dickens	Sharpe
Hartzog	Shell
Holland	Simpson
Hoskins	Skaggs
Huddleston	Smith of Hopkins
Hyder	Smith of Tarrant
Jackson	Stinson
James	Talbert
Johnson of Ellis	Tarwater
Jones of Angelina	Tennant
Jones of Falls	Tennyson
Jones of Wise	Thornberry
Keefe	Thornton
Keith	Waggoner
Kelt	Weldon
Kenyon	Westbrook
King	Wood
Knetsch	Worley

Absent

Bell	Brown
Blankenship	Callan
Bridgers	Cleveland

Colquitt	McFarland
Dean	McKinney
Dickison	Morris
Fox	Pope
Graves	Reader
Harper	Riddle
Harrell	Ross
Heflin	Smith
Herzik	of Matagorda
Hull	Stevenson
Johnson	Stocks
of Tarrant	Vale
Jones of Atascosa	Walker
Mauritz	Winfree
McCracken	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 1027 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1027, A bill to be entitled "An Act amending Article 7261 by transferring the duty of certifying to the correctness of the report of the County Collector from the County Clerk to the County Auditor in those counties having a County Auditor, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—122

Alexander	Derden
Alsup	Dickison
Amos	Dollins
Baker	England
Bates	Farmer
Beckworth	Felty
Bell	Fielden
Boethel	Fuchs
Bond	Gibson
Boyer	Hamilton
Bradbury	Hankamer
Bradford	Hanna
Broadfoot	Harbin
Brown	Hardin
Burton	Harper
Cagle	Harrell
Callan	Harris of Archer
Carssow	Harris of Dallas
Cathey	Harris of Dickens
Cauthorn	Hartzog
Celaya	Hoskins
Colquitt	Huddleston
Davis of Jasper	Hyder
Davison of Fisher	Jackson
Davisson	James
of Eastland	Johnson of Ellis
Deglandon	Jones of Angelina

Jones of Falls	Patterson
Jones of Wise	of Travis
Keefe	Powell
Keith	Prescott
Kelt	Quinn
Kenyon	Ragsdale
King	Reed of Bowie
Knetsch	Reed of Dallas
Langdon	Rhodes
Lankford	Roark
Lanning	Russell
Leath	Rutta
Leonard	Schuenemann
Leyendecker	Settle
Little	Sewell
Loggins	Sharpe
London	Shell
Lucas	Simpson
Mann	Skaggs
Mauritz	Smith of Hopkins
Mays	Smith of Tarrant
McConnell	Stevenson
McCracken	Stinson
McDonald	Talbert
McKee	Tarwater
Metcalfe	Tennant
Moffett	Tennyson
Monkhouse	Thornberry
Morris	Thornton
Morse	Waggoner
Newton	Walker
Nicholson	Weldon
Oliver	Westbrook
Palmer	Winfree
Patterson of Mills	Wood
	Worley

Absent

Blankenship	Jones of Atascosa
Bridgers	McFarland
Cleveland	McKinney
Davis of Haskell	Pope
Dean	Reader
Fox	Riddle
Graves	Ross
Heflin	Smith
Herzik	of Matagorda
Holland	Stocks
Hull	Vale
Johnson	
of Tarrant	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 1028 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1028, A bill to be entitled "An Act prohibiting the taking of certain fish in the waters of Travis

County during the months of February, March and April; providing means, methods and devices for taking fish; providing size limits, bag limits, and possession limits; permitting the use of seines and nets for certain species; prohibiting the sale, or the taking for the purpose of selling, of any fish taken from the waters of Travis County; providing a penalty for violation of this Act; repealing all laws in conflict with this Act, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—118

Alexander	Hyder
Alsup	Jackson
Amos	James
Baker	Johnson of Ellis
Bates	Jones of Angelina
Beckworth	Jones of Falls
Bell	Jones of Wise
Bond	Keefe
Boyer	Keith
Bradbury	Kelt
Broadfoot	Kenyon
Brown	King
Burton	Knetsch
Cagle	Langdon
Callan	Lanning
Carssow	Leath
Cathey	Leonard
Cauthorn	Leyendecker
Celaya	Little
Colquitt	Loggins
Davis of Jasper	London
Davison of Fisher	Lucas
Davisson	Mann
of Eastland	Mays
Deglandon	McConnell
Derden	McCracken
Dickison	McDonald
Dollins	McKee
England	Metcalfe
Farmer	Moffett
Felty	Monkhouse
Fielden	Morris
Fuchs	Morse
Gibson	Newton
Hamilton	Nicholson
Hankamer	Palmer
Hanna	Patterson of Mills
Harbin	Patterson
Hardin	of Travis
Harper	Pope
Harris of Archer	Powell
Harris of Dallas	Prescott
Harris of Dickens	Quinn
Hartzog	Ragsdale
Holland	Reed of Bowie
Hoskins	Reed of Dallas
Huddleston	Rhodes

Roark	Talbert
Russell	Tarwater
Rutta	Tennant
Schuenemann	Tennyson
Settle	Thornberry
Sewell	Thornton
Sharpe	Waggoner
Shell	Walker
Simpson	Weldon
Skaggs	Westbrook
Smith of Hopkins	Winfree
Stevenson	Wood
Stinson	Worley

Present—Not Voting

Boethel

Absent

Blankenship	Jones of Atascosa
Bradford	Lankford
Bridgers	Mauritz
Cleveland	McFarland
Davis of Haskell	McKinney
Dean	Oliver
Fox	Reader
Graves	Riddle
Harrell	Ross
Heflin	Smith
Herzik	of Matagorda
Hull	Smith of Tarrant
Johnson	Stocks
of Tarrant	Vale

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 1029 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1029, A bill to be entitled "An Act amending Article 3902 as amended by Acts, 1935, Forty-fourth Legislature, Second Called Session, page 1762, by adding thereto another section to be designated as Section 7, providing that in counties of a population bracket of not less than 39,496 and not more than 40,000, First Assistant County Attorneys shall receive a salary of from \$1,620.00 to \$1,920.00 per annum, to be determined by the Commissioners' Court, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—120

Alexander	Baker
Alsup	Bates
Amos	Beckworth

Bell	Lankford
Boethel	Lanning
Bond	Leath
Boyer	Leonard
Bradbury	Leyendecker
Broadfoot	Little
Brown	Loggins
Burton	London
Cagle	Lucas
Callan	Mann
Carssow	Mays
Cathey	McConnell
Cauthorn	McCracken
Celaya	McDonald
Colquitt	Metcalfe
Davis of Haskell	Moffett
Davis of Jasper	Monkhouse
Davison of Fisher	Morris
Davisson	Morse
of Eastland	Newton
Deglandon	Palmer
Derden	Patterson of Mills
Dickison	Patterson
Dollins	of Travis
England	Pope
Farmer	Prescott
Felty	Quinn
Fielden	Ragsdale
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Hamilton	Rhodes
Hankamer	Roark
Hanna	Russell
Harbin	Rutta
Hardin	Schuenemann
Harper	Settle
Harrell	Sewell
Harris of Archer	Sharpe
Harris of Dallas	Shell
Harris of Dickens	Simpson
Hartzog	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith of Tarrant
Huddleston	Stevenson
Hyder	Stinson
Jackson	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Jones of Angelina	Tennyson
Jones of Falls	Thornberry
Jones of Wise	Thornton
Keefe	Waggoner
Keith	Walker
Kelt	Weldon
Kenyon	Westbrook
Langdon	Winfree
King	Wood
Knetsch	Worley

Absent

Blankenship	Dean
Bradford	Fox
Bridgers	Graves
Cleveland	Heflin

Herzik	Oliver
Hull	Powell
Johnson	Reader
of Tarrant	Riddle
Jones of Atascosa	Ross
Mauritz	Smith
McFarland	of Matagorda
McKee	Stocks
McKinney	Vale
Nicholson	

Absent—Excused

Adkins	Kern
Howard	Petsch

HOUSE BILL NO. 863 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 863, A bill to be entitled "An Act increasing the allowance for office and traveling expenses for County Superintendents in all counties containing a population according to the last preceding Federal Census of not less than 8,600 nor more than 8,650, and not less than 5,550 nor more than 5,600, and not less than 12,150 nor more than 12,200, and declaring an emergency."

The bill was read second time.

Mr. Harris of Dickens offered the following amendment to the bill:

Amend House Bill No. 863, Section 1, by adding at the proper place the following: "in all counties containing a population less than 5,650 nor more than 5,700."

The amendment was adopted.

Mr. Prescott offered the following amendment to the bill:

"Amend House Bill No. 863, by providing that this Act shall apply to County Superintendents in counties having a population according to last Federal Census of not less than 23,669 and not more than 23,725."

The amendment was adopted.

Mr. Prescott offered the following amendment to the bill:

"Amend House Bill No. 863, by providing that this Act shall apply to County Superintendents in counties having a population according to last Federal Census of not less than 26,382 nor more than 26,401."

The amendment was adopted.

Mr. Lanning offered the following amendment to the bill:

Amend House Bill No. 863, by adding a subsection 1a to Section 1, as follows:

"In counties having a population of not less than twenty thousand, one hundred (20,100) and not more than twenty thousand one hundred and fifty (20,150) and in counties having a population of not less than nine thousand and twenty-five (9,025) and not more than nine thousand and fifty (9,050), according to the last preceding Federal Census; the County Boards of Trustees may make such provisions as they deem necessary for office and traveling expenses of the County Superintendent of Public Instruction; provided that the amount of such expenditures for office and traveling expenses shall not exceed the sum of Six Hundred (\$600.00) Dollars per annum. The amount allowed shall be paid in the manner and in accordance with now existing laws governing the maintenance of the office of the County Superintendent."

The amendment was adopted.

Mr. Bradbury offered the following amendment to the bill:

"Amend House Bill No. 863, by providing that this Act shall apply to County Superintendents in counties having a population according to the last Federal Census of not less than 41,000 and not more than 41,250."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 863 was then passed to engrossment.

HOUSE BILL NO. 880 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 880, A bill to be entitled "An Act to amend the Acts of 1933, Forty-third Legislature, Regular Session, page 547, Chapter 178, Section 13, relating to the issuance and manufacturing of the license number plates so as to provide for the issuing of a late license number plate, seal, sticker, or device, as the State Highway Commission may direct, for attaching same and relating to the State Penitentiary furnishing license number plates and road signs, providing for the purchasing of road signs by the State Board of Control on requisition of the State Highway Department;

the Acts of 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, Section 13-a, relating to replacement of number plates so as to provide for replacement of license number plates, seals, stickers, and/or devices; the Acts of 1934, Forty-third Legislature, . . . etc., and declaring an emergency."

The bill was read second time.

Mr. Harris of Dallas offered the following committee amendment to the bill:

Amend House Bill No. 880, by striking out the words in Section 7 as follows: "as shown by the Governor's Message to this extraordinary Session of the Legislature of Texas."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 880 was then passed to engrossment.

HOUSE BILL NO. 893 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 893, A bill to be entitled "An Act to amend Section 6 of House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature as amended by House Bill No. 373, Chapter 264, page 651 of the Acts of Regular Session of the Forty-fourth Legislature to exempt from the provisions thereof associations which are not operated for profit and which pay no salaries or commissions to anyone and which limit their membership to employees and the families of employees of any designated firm, corporation or individual; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Morse offered the following committee amendment to the bill:

Amend House Bill No. 893, by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 6 of House Bill No. 303, being Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature as amended by House Bill No. 373,

Chapter 264, page 651 of the Acts of the Regular Session of the Forty-fourth Legislature be amended so as hereafter to read as follows:

"Section 6. In addition to the annual report required by said House Bill No. 303, the Life Insurance Commissioner shall once in every two (2) years or oftener, if he deems it advisable, require the books, records, accounts and affairs of any corporation or association qualifying and acting under said Act to be examined and audited by an accountant or accountants, or examiner designated and commissioned by him. For the purpose of any examination, the Commissioner and the auditors and examiners shall have free access to all books, records, papers and accounts of the corporation, and the cost for the time required in making such examination and audit, and all necessary expenses in connection therewith shall be paid by the corporation upon presentation of a bill showing the charges made by the Department, which shall include the salaries, traveling expenses, hotel bills, and other expenses of said auditors and examiners, together with all other expenses in connection with such examination. Each corporation or association shall be charged with the salary of the auditors, and examiners, for the time required in making such examination and the time required in connection with going to and from the place, or places, necessary in connection with such examination, together with all expenses incurred by such auditors, and examiners, and in addition thereto each corporation or association shall be charged by the Commissioner with an amount equal to the salaries of the actuary, examination clerk, or clerks, stenographers, and all other employees employed in connection with the examination work in the Department for the time said employees are performing duties in connection with the examination by each corporation so examined. The amounts so collected shall be paid into the Examination Fund of the State Treasury Department and paid out in accordance with the general examination laws.

"The Commissioner or his deputy or any examiner shall have the right to require any officer, agent or employee of any company or association, operating under this law, or any other person to be sworn and answer under

oath any questions regarding the affairs or activities of said association or company, and the Commissioner, his deputy and any examiner or auditor is hereby authorized to administer such oath. All laws or parts of laws with reference to the examination of organizations operating under House Bill 303, Acts of the Forty-third Legislature, that are in conflict with this Act are hereby expressly waived.

"It shall be the duty of the Commissioner to require any corporation, person, firm, association, local mutual aid association or any local association, company or organization, to have a certificate of authority before being authorized to carry on any insurance business in this State. If, in any event, any such company, person, firm, association, corporation, local aid association or local organization is writing any form of insurance whatsoever without a permit, or certificate of authority issued by the Department of Insurance of Texas, it shall be the duty of the Commissioner to make known said fact to the Attorney General of the State of Texas, who is hereby required to institute proceedings in the District Court of Travis County to restrain such corporation, person, firm, association, company, local aid association or organization from writing any insurance of any kind or character without a permit. Provided the provisions of this Section shall not apply to associations which limit their membership to the employees and the families of employees, of any particular designated firm, corporation or individual and which are not operated for profit and which pay no commissions to anyone, and whose operating expense does not exceed \$100.00 per month. Provided however, that all such associations shall make annual report to the Department of Insurance on blanks furnished for that purpose showing their financial condition, receipts and expenditures and such other facts as the Board of Insurance Commissioners may require. No such association shall be permitted to operate, however, without making report to the Insurance Department and getting a permit to do so. Such permit shall be for the current year or fractional part thereof and shall expire on the first day of March thereafter and shall be renewed annually upon the approval of

the financial statement of the organization by the Board of Insurance Commissioners. All such organizations shall have six months after the time that this Act goes into effect within which to comply with its conditions. If any organization fails to qualify under this Act or fails to comply with its requirements in any manner it shall be the duty of the Board of Insurance Commissioners to report the same to the Attorney General who shall at the request of said Board file such suit as may be necessary to wind up the affairs of such association and, if necessary, have a receiver appointed for that purpose. The venue of such suits shall be laid in the District Court of Travis County, Texas."

Sec. 2. All laws or parts of laws that are in conflict with this Act are hereby expressly repealed.

Sec. 3. The fact that the present law works a hardship on mutual sick benefit associations, hospital benefit associations, burial benefit associations and mutual benefit associations not operated for profit, as provided for in this Act, creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read in each House on three several days be suspended, and said Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Mr. Reed of Dallas offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 893, by striking out the word "provided" in line 5, page 3, and inserting in lieu thereof the following:

"Provided no provisions of this Act shall be construed to apply to any corporation, association or partnership, individual or joint stock company, engaged in the undertaking business, or to any advertising corporation, association and/or partnership, individual or joint stock company with whom they have contracts, and provided further that".

REED of Dallas,
HARRIS of Dallas.

The amendment was adopted.

Mr. Harris of Dallas offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 893, by adding a new section:

"No law of this State pertaining to insurance shall be construed to apply to the establishment and maintenance by individuals, associations or corporations, of sanatoriums or hospitals for the reception and care of patients for the medical, surgical or hygienic treatment of any and all diseases, or for the instruction of nurses in the care and treatment of diseases and in hygiene, or for any and all such purposes, nor to the furnishing of any or all such services, care of instruction in or in connection with any such institution, under or by virtue of any contract made for such purposes, with residents of the county in which such sanatorium or hospital is located."

HARRIS of Dallas,
REED of Dallas.

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 893 was then passed to engrossment.

HOUSE BILL NO. 177 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 177, A bill to be entitled "An Act creating a School of Petroleum Engineering to be conducted in connection with and as a branch of the Agricultural and Mechanical College of Texas; prescribing the courses of instruction, the purposes and the field of operations of such school; making provisions for the appointment of the members of the faculty, their compensation and the purchase of the necessary equipment; fixing the qualifications of the students and relating the rules and regulations governing same; authorizing annual short courses for oil field workers to be conducted by the school; designating the place for holding such short courses, and defining the methods of their conduct; placing state-owned lands available for such purpose at the disposal of the school for its field operations; providing for the commercial development of such lands

and the apportionment of the profits arising therefrom in the event of oil or other mineral discoveries by the school; making an appropriation for the establishment of the school, and declaring an emergency."

The bill was read second time.

Mr. Hartzog offered the following committee amendment to the bill:

Amend House Bill No. 177, by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. There is hereby created additional facilities to be provided the Petroleum Engineering Department as now conducted in connection with and as a part of the Agricultural and Mechanical College of Texas.

"Section 2. The purpose of enlarging the facilities of said Department shall be to provide scientific and practical instruction in the exploration of lands for the location of oil and gas and other minerals by the use of the most approved geophysical and geological methods and instruments or devices; to provide additional facilities for scientific and practical instruction in the use of the most modern equipment and machinery for the teaching of oil and gas well drilling methods; to provide adequate facilities for the teaching of scientific and practical methods of producing oil and gas with the ultimate aim of increasing the recovery from our known petroleum reserves.

"Section 3. The faculty of the present Department shall be increased so as to provide sufficient instructors to carry on the work outlined in Section 2 and the Board of Directors of the Agricultural and Mechanical College of Texas shall be empowered to appoint members of the faculty, define their qualifications and fix their compensation.

"Section 4. The equipment, instruments, machinery or devices for the efficient conduct or operation of this Department shall be purchased, leased or rented by the State Board of Control as now provided by law for acquiring such equipment for other state-owned institutions.

"Section 5. The school shall be open to male students under the same rules and regulations governing the qualifications of the students in other departments or branches of the Agricultural and Mechanical College of

Texas but subject to such limitations or restrictions as the Board of Directors of said college may impose or prescribe.

"Section 6. Short courses for oil field workers shall be conducted annually at College Station under the direction of the Department under rules and regulations similar to those governing the short courses for farmers at the Agricultural and Mechanical College.

"Section 7. The practical operations of the Department shall be conducted on lands owned by the State and made available for such purposes.

"Section 8. In the event that the operations of the Department shall result in discovery of oil and gas or other minerals in commercial quantities, the future development of the particular land or lands on which such discoveries are made shall be under the direction and control of said Petroleum Engineering Department and subject to the rules and regulations of the Oil and Gas Division of the Railroad Commission of Texas.

"Section 9. The financial profits, if any, resulting from the operations of the Department shall be apportioned as follows after the expenses of maintaining the Department have been deducted:

An equal one-fourth each to:

(a) The available public school fund of the State;

(b) The State Old Age Pension Fund;

(c) The State Prison Fund, and

(d) A special fund to be created for the construction, improvement and maintenance of lateral or farm-to-market roads in the various counties of the State according to such authorizations as may be made by this and succeeding legislatures.

"Section 10. The fact that the oil industry is the leading industry of Texas and deserving of better recognition among our institutions of higher learning;

That there is greater need of men of greater skill and learning in the industry;

That such training will provide a wider and more lucrative field of employment for the youth of Texas;

That a better knowledge of factors effective in increasing the recovery of our petroleum deposits will lead to a

larger ultimate recovery of oil from our present oil fields.

That a better geophysical and geological knowledge of the occurrences and location of oil will add to the present petroleum reserves in the State of Texas;

That as an incident of such training the State may derive large and greatly needed additional revenues through the recovery of additional oil from present producing fields and from new fields which may be later discovered and thereby enable it to eliminate or substantially reduce rapidly multiplying and burdensome taxes, and

That the State and its citizens generally are entitled to wider knowledge of the scientific advances in the location and production of petroleum and should lend greater encouragement to the promotion of their principal industry, creates an emergency and an imperative public necessity requiring that the Constitutional Rule providing that bills be read on three several days in each House shall be suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Mr. Hartzog offered the following committee amendment to the bill:

Amend House Bill No. 177, by striking out all above the enacting clause and insert in lieu thereof the following:

"An Act to provide adequate facilities for the operation of the Department of Petroleum Engineering now being conducted in connection with and as a part of the Agricultural and Mechanical College of Texas; prescribing the courses of instruction, the purposes and the field of operations of this Department; making provision for appointment for members of the faculty, their compensation and the purchase of additional necessary equipment; fixing the qualifications of the students and relating the rules and regulations governing same; authorizing annual short courses for oil field workers to be conducted by the Department, designating the places for holding such short courses and defining the methods of their conduct; placing state-owned lands available for such purpose at the disposal of the Department for their field opera-

tions; providing for the commercial development of such lands and the apportionment of the profits arising therefrom in the event of oil or other minerals discovered by the Department; making an appropriation for increasing the facilities of the Department, and declaring an emergency."

The amendment was adopted.

House Bill No. 177 was then passed to engrossment.

HOUSE BILL NO. 918 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 918, A bill to be entitled "An Act amending Article 3771 of Title 56 of the Revised Civil Statutes of Texas, 1925, Edition, by making an addition thereto providing for the withholding of execution after judgment in case of inability of the defendant to make supersedeas bond under certain conditions, and providing for motion and hearing before District or County Court to establish facts as to those conditions, and declaring an emergency."

The bill was read second time.

Mr. Jones of Wise offered the following committee amendment to the bill:

Amend House Bill No. 918, by striking all of Section 1 of the bill and in lieu thereof, insert the following:

Section 1. That Article 3771 of Title 56 of the Revised Civil Statutes of Texas 1925 edition, is hereby amended by adding immediately after and as a part of said Article, the following:

"Provided, however, that upon motion of the defendant filed within the time above set out or six days prior to the date of sale under execution, setting forth under oath the fact that he is unable to make his Supersedeas Bond as provided by law and that his property, upon which execution has been or is threatened to be issued and against which judgment or other lien is established, is ample security to pay off and secure the Plaintiff's debt as established in said cause, and that he has a substantial equity in the same over and above the plaintiff's debt, and that the prop-

erty involved is not perishable, said execution shall be stayed, as hereinafter provided. After said motion is filed a hearing shall be had before the Court in term time or in vacation, to determine the facts set out in said affidavit, after giving a five days' notice to the Plaintiff or his attorney of record. Should the Judge determine the facts set out in the motion in favor of the defendant, he shall note the same of record and order that the property be not sold under said judgment or execution until after final adjudication of the matters involved in said litigation."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 918 was then passed to engrossment.

HOUSE BILL NO. 938 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 938, A bill to be entitled "An Act amending Article 3605, to provide for the appointment of a guardian for a non compos mentis interested in an estate subject to division; providing for appointment of a guardian ad litem and/or attorney to represent non-residents and unknown parties having an interest in said property, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

MESSAGE FROM THE SENATE

Austin, Texas, April 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 87, Instructing the Enrolling Clerk of the House to make certain corrections to H. B. No. 131.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 940 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 940, A bill to be entitled "An Act making theft of wool or mohair or edible meat a felony; prescribing penalties therefor, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 984 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 984, A bill to be entitled "An Act providing for a closed season for the killing, taking or possessing of squirrel in the County of Wharton, Texas, during the months of January, February, and March of each year; providing a penalty for the violation of the provisions of this Act; repealing any provisions of law in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 990 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 990, A bill to be entitled "An Act to create a more efficient Road Law for Burnet County, providing the payment of a tax of Three Dollars (\$3.00) by all persons in said County, subject to road duty under the General Laws, or the performance of certain manual labor on the road, in the discharge of said road duty; providing the manner of assessing and collecting said road tax, and providing a penalty for failure or refusal to perform said road duty, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 991 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 991, A bill to be entitled

"An Act providing for the creation of corporations for the purpose of establishing, maintaining, operating and engaging in the business of grading, constructing of terraces and drainage structures and all other forms of dirt construction work, and declaring an emergency."

The bill was read second time.

Mr. Johnson of Ellis offered the following committee amendment to the bill:

Amend House Bill No. 991, by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. Amend Title 32, Chapter 1, Article 1302, of the Revised Civil Statutes of 1925, by adding a new subsection: Corporations may be formed to establish, maintain, operate and engage in the business of grading, constructing terraces and drainage structures and all other forms of dirt construction work."

Section 2. The fact that the present statutes of the State of Texas do not authorize the formation for the purpose of establishing, maintaining, operating and engaging in the business of grading, constructing terraces and drainage structures and all other forms of dirt construction work creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Mr. Johnson of Ellis offered the following committee amendment to the bill:

Amend the caption of the bill to read as follows:

"A BILL

To Be Entitled

An Act to amend Title 32, Chapter 1, Article 1302, of the Revised Civil Statutes of 1925, by providing for the creation of corporations for the purpose of establishing, maintaining, operating and engaging in the business of grading, constructing of terraces and drainage structures and all other forms of dirt con-

struction work, and declaring an emergency."

The amendment was adopted.

House Bill No. 991 was then passed to engrossment.

HOUSE BILL NO. 992 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 992, A bill to be entitled "An Act providing for trials of the contest of local option elections held pursuant to the terms of the Liquor Control Act; providing the time and manner in which such local option elections may be contested; prescribing the effect to be given the judgment of the courts in which said election is contested, and providing further that when no contest is filed within the time and the manner herein provided, that the legality of the election shall be conclusively presumed and shall be binding upon all courts, and declaring an emergency."

The bill was read second time.

Mr. Thornton offered the following committee amendment to the bill:

Amend House Bill No. 992, by inserting after the word "held" in line 6 of Section 1 the following: "if said voter voted at said election."

The amendment was adopted.

Mr. Thornton offered the following committee amendment to the bill:

Amend House Bill No. 992, by striking out all of Section 2 and substituting in lieu thereof the following:

"Section 2. Any qualified voter of any county, justice precinct or incorporated town or city within this State which has heretofore voted on local option may contest said election under the provisions of this Act, if said voter voted at said election, and if no contest is filed within sixty (60) days from the taking effect of this Act, it shall be conclusively presumed that said election, as held, was valid in all things and binding upon all courts."

The amendment was adopted.

Mr. Burton offered the following amendment to the bill:

Amend House Bill No. 992, by striking out the word "much" and inserting in lieu thereof the word "such" on page 1, line 11 of the printed bill.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 992 was then passed to engrossment.

HOUSE BILL NO. 1005 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1005, A bill to be entitled "An Act amending Title 25 of Article 911b, Section 6, paragraph (d) of Vernorn's Annotated Texas Statutes by providing that the Railroad Commission of Texas may issue special permits to transport used office furniture and equipment for hire by motor vehicles, and declaring an emergency."

The bill was read second time.

Mr. Bond offered the following committee amendment to the bill:

Amend House Bill No. 1005, by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Title 25 of Article 911b, Section 6, Paragraph (d) Revised Civil Statutes of 1925, as Amended, is hereby amended so as to read as follows:

"(d) The Railroad Commission is hereby given authority to issue upon application to those persons who desire to engage in the business of transporting for hire over the highways of this State live stock, mohair, wool, milk, livestock, feed-stuffs, household goods, oil field equipment, and used office furniture and equipment, timber, when in its natural state, farm machinery and grain, special permits upon such terms, conditions and restrictions as the Railroad Commission may deem proper, and to make rules and regulations governing such operations keeping in mind the protection of the highways and the safety of the traveling public; provided, that if

this Act or any section, subsection, sentence, clause or phrase thereof, is held unconstitutional and invalid by reason of the inclusion of this subsection the Legislature hereby declares that it would have passed this Act and any such section, subsection, sentence, clause or phrase thereof without this subsection."

Section 2. The fact that the present Motor Carrier Act of Texas, allows the Railroad Commission of Texas, to issue special permits and that there is not now any authority to issue special permits to transport used office furniture and equipment, creates an emergency and an imperative public necessity, requiring the suspension of the Constitutional Rule requiring bills be read on three several days in each House, and the Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Mr. Bond offered the following committee amendment to the bill:

Amend House Bill No. 1005, by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL

To Be Entitled

An Act amending Title 25 of Article 911b, Section 6, Paragraph (d), of Vernon's Annotated Texas Statutes by providing that the Railroad Commission of Texas may issue special permits to transport used office furniture and equipment for hire by motor vehicles, and declaring an emergency."

The amendment was adopted.

House Bill No. 1005 was then passed to engrossment.

HOUSE BILL NO. 1006 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1006, A bill to be entitled "An Act to amend Chapter 57 of the Acts of the Forty-first Legislature of Texas, Regular Session, by amending Section 12 thereof so as to provide for the funding of scrip and warrant indebtedness of the Road and Bridge Fund of Montgomery County, Texas, legally incurred prior to January 1, 1937; and by adding to said Act Sec-

tion 13b, validating, ratifying, legalizing and confirming an issue of \$65,391.77 of road and bridge funding warrants of said County, dated November 1, 1936, and authorizing the funding thereof into coupon bonds of said County, in accordance with the terms and provisions of this Act; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1008 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1008, A bill to be entitled "An Act to amend Article 1302, Title 32, of the Revised Civil Statutes of Texas, of 1925, by adding another subdivision thereto authorizing private corporations to be created for the purpose of providing for the registration, preservation of the purity of blood, and improvement in the breeding of any species or class of livestock, and to keep, maintain and publish in suitable form the history, record and pedigree thereof, and declaring an emergency."

The bill was read second time.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 1008, by adding at the end of Section 1 a new section to be known as Section 2, and by re-numbering subsequent sections accordingly, said new Section 2 to read as follows:

"Sec. 2. Corporations may be created for the purpose of purchasing and owning patents with all rights incidental thereto, and to manufacture products and processes thereunder, and to market, sell and distribute such products and license dealers to use such processes in prescribed territories on a royalty basis."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1008 was then passed to engrossment.

**HOUSE BILL NO. 1010 ON SECOND
READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1010. A bill to be entitled "An Act establishing a County Law Library in counties in this State having three or more District Courts sitting for all of its terms or some of its terms with both civil and criminal jurisdiction, none of which have more than four terms a year and one which sits and has jurisdiction in not less than two other counties; providing a fund to be administered by the Commissioners' Court to be raised by collecting \$1.00 as costs in each case filed in any of said Courts in said county except delinquent tax suits and including all Civil and Criminal County Courts or District Courts; providing, however, that the county shall in no event be liable for any cost in any civil or criminal case; providing for a custodian or librarian and his salary; providing for housing and management, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

**HOUSE BILL NO. 998 ON SECOND
READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 998. A bill to be entitled "An Act fixing the salaries of certain county officials in certain counties with a population of not less than twelve thousand, two hundred twenty-seven (12,227) and not more than twelve thousand two hundred thirty (12,230) according to the last preceding Federal Census of 1930, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

**HOUSE BILL NO. 1026 ON SECOND
READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1026. A bill to be entitled "An Act amending Chapter 4, Acts of the Regular Session of the Forty-fourth Legislature, 1935, same being House Bill No. 226 of said Regular Session, authorizing the Criminal

District Attorney of the One Hundred Twenty-fourth Judicial District of Texas to appoint two assistants; providing for the appointment, if necessary, of a criminal investigator and stenographer; . . . etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

**HOUSE BILL NO. 1030 ON SECOND
READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1030. A bill to be entitled "An Act to amend Article 6711a, Chapter 33, Acts of the Regular Session, as amending Chapter 2, of Title 116, of the Revised Civil Statutes of Texas, 1925, by providing that upon application of ten (10) or more resident citizens of the Counties of Leon, Madison and Anderson, or one person living within an enclosure of five hundred (500) acres or more in said Counties, the Commissioners Court of said County shall open a road through said enclosure of land; . . . etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

**HOUSE BILL NO. 1043 ON SECOND
READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1043. A bill to be entitled "An Act declaring all motor vehicle registration or license plates to be the property of the State Highway Commission of Texas until duly or lawfully purchased for use upon a motor vehicle owned by the purchaser thereof; declaring it unlawful for any tax assessor-collector, tax collector or other officer to sell, transfer, convey or otherwise deliver any registration or license plate for any consideration other than the full value thereof paid in lawful money; declaring that any violation of the provisions of this Act shall constitute a misdemeanor and prescribing a punishment upon conviction; fixing venue of such prosecution in Travis County, Texas; declaring the terms of this Act to be severable; repealing all laws in conflict, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1045 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1045, A bill to be entitled "An Act declaring it unlawful for any person to sell, take or have in his possession for barter or sale after the passage of this Act, for a period of five (5) years, any wild fox or the pelts thereof in the Counties of Hunt and Rains, State of Texas, and providing a penalty therefor, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1048 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1048, A bill to be entitled "An Act granting the Commissioners Court of Taylor County permission to pay out of the General Fund of said County bounties for the destruction of rabbits and ravens, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1053 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1053, A bill to be entitled "An Act fixing an open season or period of time when it shall be lawful to hunt, take or kill wild mourning doves in the South White Wing Zone; amending Article 879a of the Penal Code of Texas as amended by the Acts of 1929, Forty-first Legislature, page 173, Chapter 74, paragraph 1, . . . etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1054 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1054, A bill to be entitled

"An Act requiring all Superintendents of public schools, or if no Superintendent, then the Principal or person in charge, to keep a finger print record of every child attending said school; providing that such finger print records shall be used for school purposes only; prescribing a penalty for the failure or refusal of such school officials to keep said finger print records, and declaring an emergency."

The bill was read second time.

Mr. Knetsch offered the following amendment to the bill:

Amend House Bill No. 1054, by striking out all of Section One and inserting in lieu thereof the following.

"Section 1. From and after the effective date of this Act it shall be the duty of all Superintendents, or if no Superintendent, then the Principal or the person in charge, of any public school in the State of Texas to require all children attending the school of which he is Superintendent, Principal, or the person in charge, to have their fingerprints placed on standardized fingerprint cards to be furnished at actual cost by the Department of Public Safety, State of Texas, Bureau of Identification and Records, Austin, Texas, upon receipt of the proper written request signed by said Superintendent, Principal, or person in charge, together with complete physical description, name, and address of nearest relative, to be notified in cases of emergency, and said cards containing such fingerprints and supplemental data shall be forwarded to the Department of Public Safety, State of Texas, Bureau of Identification and Records, Austin, Texas, within ninety days from the date said students or children enroll in said school; it is further provided that such fingerprint record and supplemental data shall be properly classified, indexed and filed by the said Department of Public Safety, State of Texas, Bureau of Identification and Records, Austin, Texas, in the Civil Section of the fingerprint files of said Bureau, separately and independently of any and all criminal fingerprint records; it is further provided that these fingerprint records and supplemental data shall be referred to only in cases where fingerprints of unknown deceased persons, persons suffering with amnesia, kid-

napped victims, etc., are received by the Department of Public Safety, State of Texas, Bureau of Identification and Records, Austin, Texas, or in cases of mistaken identity where the victims thereof desire to establish his or her positive identity."

The amendment was adopted.

Mr. Knetsch offered the following amendment to the bill:

Amend the caption of House Bill No. 1054 to conform with the body of the bill, by striking out all of the caption and inserting in lieu thereof the following:

"A BILL
To Be Entitled

An Act requiring all Superintendents, Principals or persons in charge of any public school in the State of Texas to secure a fingerprint record, together with other supplemental data of all children attending said school, providing that said fingerprint record shall be forwarded within ninety days from the date said student enrolls in school, to the Department of Public Safety, State of Texas, Bureau of Identification and Records, Austin, Texas, providing that such records shall be used for personal identification purposes only, prescribing a penalty for the failure or refusal of said school official to secure said fingerprint records, and declaring an emergency."

The amendment was adopted.

House Bill No. 1054 was then passed to engrossment.

HOUSE BILL NO. 1055 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1055, A bill to be entitled "An Act to amend Article 492 of Chapter 8, Title 16 of the Revised Civil Statutes of Texas, 1925, with respect to State control of banking institutions; providing that corporations organized under such title are declared to be governmental instrumentalities of the State; repealing all laws in conflict, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1057 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1057, A bill to be entitled "An Act providing that in certain counties convicts, either laying their fines out in jail or working such fines out on the County Farm or on the county roads or other public works shall receive a credit therefor of \$1.00 per day for each day worked, or spent in jail, and declaring an emergency."

The bill was read second time and was passed to engrossment.

CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL
NO. 321

Mr. Moffett, Chairman, submitted the following conference committee report on House Bill No. 321:

Committee Room,

Austin, Texas, April 7, 1937.

Hon. Walter F. Woodul, President of the Senate, and

Hon. R. W. Calvert, Speaker of the House of Representatives.

Gentlemen: We, your Conference Committee, on House Bill No. 321, after careful consideration, have reached an agreement on said Bill and herewith submit the attached Conference Report on this Bill and recommend its adoption.

Respectfully submitted,

PACE,
REDDITT,
DAVIS,
WOODRUFF,
SHIVERS,

On the Part of the Senate.

MOFFETT,
BOND,
BLANKENSHIP,
LEONARD,
HOLLAND.

On the Part of the House.

H. B. No. 321,

A BILL

To be Entitled

An Act amending Chapter 141, Acts, Fortieth Legislature, Regular Session, as amended by Chapter 246, Acts Forty-second Legislature, Regular Session, creating the of-

office of the Veterans' State Service Office attached to the Adjutant General's Department; providing for the appointment of a Veterans' State Service Officer and certain Assistant Veterans' State Service Officers, and other necessary personnel; defining the qualifications, authority, and duties of such officers; fixing and authorizing payment of their salaries, travel, and other expenses; providing that the main office shall be located in Austin, Travis County, Texas; providing for seal of office; repealing all laws and parts of laws in conflict therewith; providing a saving clause, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Chapter 141, Acts, Fortieth Legislature, Regular Session as amended by Chapter 246, Acts, Forty-second Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 1. There is hereby created the Office of Veterans' State Service Office of the State of Texas to be composed of a Veterans' State Service Officer, who shall receive a salary of not to exceed Three Thousand (\$3000) Dollars per annum, to be paid in twelve (12) equal monthly installments, and such Assistant Veterans' State Service Officers as shall hereafter be appointed, each Assistant Veterans' State Service Officer stationed at each Regional Office and/or combined Facility of the United States Veterans' Administration shall receive a salary of not to exceed Twenty-two Hundred (\$2200) Dollars per annum payable in twelve (12) equal monthly installments, and each of the other Assistant Veterans' State Service Officers shall receive a salary of Eighteen Hundred (\$1800) Dollars per annum, payable in twelve (12) equal monthly installments, and such office personnel as shall hereafter be employed, at such salaries as shall be fixed by the Legislature, to be attached to the Adjutant General's Department of the State of Texas. All salaries, travel and other expenses to be paid by warrants approved by the Adjutant General.

"Sec. 2. The Legislature, in its regular biennium appropriation bill, shall determine the number of as-

sistant Veterans' State Service Officers, and such additional employees as may be determined to be necessary, and when so determined, the Adjutant General, with the advice and consent of the Governor, shall make such appointments, who shall be appointed to serve for a term of two (2) years, commencing at the beginning of the biennium, and shall serve for said biennium unless removed for cause.

"In no event shall any officer or employee be appointed unless authorized in the regular biennium appropriation bill.

"Such Veterans' State Service Officer and such Assistant Veterans' State Service Officers shall be qualified by education and training for the duties of such offices. They shall be experienced in the law, regulations, and rulings, of the United Veterans' Administration controlling the cases coming before them and shall themselves have served in the active military, naval, or other armed forces, or nurses' corps, of the United States at sometime during the period between April 6, 1917, and November 11, 1918, and have been honorably discharged therefrom. Such persons shall have had at least two (2) years experience as a service officer in a nationally recognized Veterans' organization engaged in service work to War veterans, as such term is defined by the United States Veterans' Administration, either as a Post, State, Department or National Service Officer which shall be evidenced by a Statement of Qualifications filed by the individual seeking appointment, with the Adjutant General, upon forms supplied by the Adjutant General, which shall be certified to by the State Commander of the Veterans' organization to which such applicant shall belong and a certificate issued by the United States Veterans' Administration showing that applicant is authorized to appear on behalf of claimants before the rating boards and/or other boards and/or Departments of the United States Veterans' Administration. Such Statement of Qualifications and supporting certificates shall be filed with the Adjutant General fifteen (15) days before said appointments are made, and the filing thereof shall be a condition precedent to appointment.

"Sec. 3. The duties of the Veterans' State Service Officer and the Assistant Veterans' State Service Officers of the State of Texas shall be to aid all residents of the State of Texas who served in the military, naval or other armed forces or nurses' corps, of the United States of America during any war or peace time enlistment, and/or widows and/or orphans, and/or dependents in preparing, submitting and presenting any claim against the United States, or any State, for compensation, hospitalization, insurance or other aid or benefits to which they may be entitled under existing laws of the United States, or any State, or such laws as may hereafter be enacted, pertinent thereto. It shall also be their duty to aid the United States Government, or any State, to defeat all unjust claims of veterans that may come to their attention. No fees, either directly or indirectly for any service rendered by such Veterans' State Service Officer or Assistant Veterans' State Service Officers, shall be charged applicant, nor shall they permit the payment of any fee by applicant to any third person for any services that might be rendered by them.

"Sec. 4. The headquarters of the Veterans' State Service Office shall be in Austin, Travis County, Texas. The home stations of Assistant Veterans' State Service Officers shall be, one at each Regional Office and/or combined Facility of the United States Veterans' Administration in Texas, and at such places in the State of Texas as the Adjutant General shall direct. Such officers shall travel on orders from the Adjutant General and shall submit such reports in writing as may be required by the Adjutant General.

"Sec. 5. Said officers shall have a seal of office and shall be authorized to administer oaths in the proper performance of their duties and such officers shall be given official entry into the records of the eleemosynary and penal institutions of the State of Texas, under the rules and regulations of the Board of Control governing eleemosynary institutions and under the rules and regulations of the Texas Prison Board governing the Texas prison system for the purpose of determining the status of any person confined therein as re-

gards to any benefit to which such person may be entitled.

"Sec. 6. All laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 7. If any section, sentence, clause, or part of this Act shall for any reason be held to be invalid, such decision shall not affect the remaining portions of this Act, and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other sentence, section, clause, or part thereof may be declared invalid."

Sec. 2. Because of the fact that there are thousands of ex-service men in the State of Texas, who are justly entitled to benefits under the present Federal Laws, including disability compensation, pensions, and hospitalization, who are not now receiving same, due largely to the fact that they are scattered in various places over the State and do not have access to relevant and proper information concerning provisions of said Federal Laws and since this condition is depriving said veterans of benefits to which they are justly entitled in the amount of thousands of dollars annually, which condition could be corrected by the early passage of this bill, thus there is created an emergency and imperative public necessity that requires the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Moffett, further consideration of the report was postponed until 11:00 o'clock a. m. tomorrow.

ADJOURNMENT

On motion of Mr. Reed of Bowie, the House, at 10:55 o'clock p. m., adjourned until 10:00 o'clock a. m., Wednesday, April 7th.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: House Bill No. 1012.

Counties: Senate Bill No. 433.

Constitutional Amendments: House Joint Resolutions Nos. 31 and 53; Senate Joint Resolution No. 13.

Education: House Bills Nos. 1049 and 1068; Senate Bills Nos. 244 and 441.

Highways and Motor Traffic: House Bills Nos. 807 and 948.

State Affairs: House Bill No. 1038.

The Committee on Revenue and Taxation filed adverse reports, with minority favorable, on House Bills Nos. 481 and 482.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, April 5, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 49, A bill to be entitled "An Act amending Article 2620 of the Revised Civil Statutes of 1925, changing the name of The North Texas Junior Agricultural, Mechanical and Industrial College at Arlington to The North Texas Agricultural, Mechanical and Industrial College at Arlington, and amending Article 2621 of the Revised Civil Statutes of 1925, providing a four-year course of study for said college, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 5, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 662, A bill to be entitled "An Act granting aid to the property and inhabitants of Sabine and San Augustine Counties, Texas, because of the public calamities which have occurred in said Counties by reason of floods and storms which have caused great destruction of property and loss of life; remitting, releasing, granting and donating to said counties all said ad valorem taxes for general revenue purposes levied and

collected on property in said counties, including the rolling stock of railroads for the period of five years, beginning with the taxable year 1937, for the use of said counties for the purpose of constructing improvements to prevent soil erosion, flood control, irrigation and drainage projects and road building, and providing that said taxes shall be levied, assessed and collected in the manner now provided by law and that the assessor and collector in said counties shall forward his report to the Comptroller covering said collections of said counties all moneys collected by him at the end of each month except such amounts as may be allowed by law for collecting and assessing such taxes; requiring said assessor and collector to forward a duplicate copy of the receipts given him by the County Treasurer for said moneys to the State Comptroller and defining the purposes and intentions of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 5, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 198, A bill to be entitled "An Act levying and providing for the payment of a State occupation tax on the producing, distributing, exporting, importing and sale of natural gas with certain exceptions; requiring reports to be made and records to be kept by those engaged in the business, and providing for the inspection thereof by certain public officials, their employees or representatives; prescribing penalties for failure to comply with the provisions of this Act; providing for the payment of interest and penalties on delinquent taxes due hereunder; providing that the State may compel meters to be placed on natural gas wells and natural gas pipe lines; providing for suits to enforce the collection of delinquent taxes, interest, penalties and costs by certain officials and fixing the venue therefor; providing that one-fourth of the tax collected shall be paid into the State Treasury for account of the Public Free School Fund, one-fourth for account of the Old Age Pension Fund and one-half for account of the Gen-

eral Fund; providing that should any part of this bill be declared unconstitutional the remainder of the bill shall remain in full force and effect; the fact that the State Treasury is in a depleted condition, and the fact that millions of dollars worth of natural gas is being produced and sold without paying a reasonable tax, therefore, an emergency is declared."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

**REPORT OF THE COMMITTEE
ON ENROLLED BILLS**

Committee Room,

Austin, Texas, April 6, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 706, "An Act providing for the employment in all counties having a population of not less than

two hundred and ninety thousand (290,000) nor more than three hundred and twenty thousand (320,000), according to the last preceding Federal Census, of two (2) rural school supervisors; prescribing the qualifications and duties of said supervisors and defining their powers; providing the compensation to be paid to such supervisors and the method of paying same; providing the County Board of School Trustees shall have the power to discontinue the office of such supervisors whenever advisable; providing that in compliance with this Act in any of the counties affected hereby shall exempt the County Superintendent from holding a Teachers Institute, and shall exempt the teachers from attending Teachers Institute, as now required by Article 2691, Revised Civil Statutes, of Texas, 1925, as amended, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

In Memoriam

Mr. Thornton offered the following resolution:

Whereas, The Master of the Universe has entered the home of Mr. and Mrs. Jess M. Irwin, Jr., and with his infinite touch has taken from them their infant son, on the afternoon of April 6, 1937; and

Whereas, Mr. Irwin is Chief of Committee Clerks of the House of Representatives; and

Whereas, The death of his small son brings sadness and sorrow to the hearts of his many friends in the House of Representatives; and

Whereas, The Members of the House extend their sympathy in this hour of sadness and bereavement to Mr. and Mrs. Irwin; and

Whereas, It is said:

"Oh, when the room grows slowly dim,
And life's last oil is nearly spent,
One gush of light these eyes will brim,
Only to think he came and went."

Now, Therefore, Be It Resolved by the Members of the House of Representatives of the State of Texas, That a copy of this resolution be spread upon the minutes of the House today, that a copy be sent to Mr. and Mrs. Irwin, and that the Chief Clerk of the House be instructed to send a suitable floral offering.

THORNTON,
HARRIS of Dallas,
STINSON,
REED of Dallas,
COLQUITT,
HANNA,
BLANKENSHIP,
BRADBURY.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Bell, Boethel, Bond, Boyer, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Cauthorn, Celaya, Cleveland, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davison of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Carssow, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.